

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25569 of 2020**

Arising Out of PS. Case No.-80 Year-2020 Thana- PIRO District- Bhojpur

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ABHISHEK KUMAR Son of Manoj Kumar @ Manoj Kumar Singh Resident  
of Village - Rojhaitola, Jitaura, P.S.- Piro, District - Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Om Prakash Pandey, Adv.  
For the Opposite Party/s : Mr. Ashok Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      05-10-2020      The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and sri Ashok Kumar, the learned APP for the State.

The petitioner seeks regular bail in connection with Piro P.S. Case No. 80 of 2020, registered for the offence punishable under Sections 399, 402, 414 of the Indian Penal Code and Sections 25(1-b)A, 26 of the Arms Act.



The case of the prosecution in brief, as per the written petition of the informant, who is the sub-inspector of police, is that on 21.3.2020 at 9:20 AM, he received information that some miscreants had assembled near Piro Jagdishpur road, whereafter he along with his police force had conducted a raid at the said place and caught the accused persons and on search, motorcycles, mobile phones, country made pistol, live cartridges etc. were recovered from them.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and no incriminating article except an old mobile set is stated to have been recovered from the possession of the petitioner. It is further submitted that the petitioner is a student of I.Sc and he is languishing in custody since 21.3.2020.

Per contra, the learned APP has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by



the learned counsel for the petitioner and taking into account the fact that only an old mobile phone is stated to have been recovered from the possession of the petitioner and he is languishing in custody since 21.3.2020, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 5th Additional Chief Judicial Magistrate (Ara) Bhojpur in connection with Piro P.S. Case No. 80 of 2020 (GR No. 1278 of 2020).

**(Mohit Kumar Shah, J)**

Ajay/-

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