

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14124 of 2021

Arising Out of PS. Case No.-618 Year-2020 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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RATNESH TIWARY Son of Bhavnath Tiwary Resident of Village-
Kushiharpur Ramani, P.S.- Kanti, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-07-2021

Heard learned counsel for the petitioner and learned
counsel for the State through video conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Kanti P.S. Case no. 618
of 2020 registered under sections 399 and 402 of the Indian
Penal Code and sections 25(1-B)(a), 26 and 35 of the Arms Act.

As per allegation in the FIR, it is stated by the
informant that on receiving information about the accused
persons planning to give effect to an occurrence, a raid was
conducted. While two accused persons managed to escape three
accused persons including the petitioner herein were arrested. It
is stated that two empty magazines of pistol were recovered
from the possession of the petitioner while empty pistol
magazine, country made pistol and cartridge was recovered
from the other accused persons.

It is submitted by learned counsel for the petitioner
that the allegations as levelled in the FIR are false and
concocted. The petitioner has been falsely implicated in the



case. No incriminating article has been recovered from his possession. He has no criminal antecedent and is in custody since 7.10.2020. Charge sheet has been submitted in the case.

The application for bail is opposed by learned counsel for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner not having any criminal antecedent and having remained in custody for nearly 9 months, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Kanti P.S. Case no. 618 of 2020 on furnishing bail bond of Rs. 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate II, West Muzaffarpur.

(Partha Sarthy, J)

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