

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5697 of 2020

Arising Out of PS. Case No.-178 Year-2019 Thana- DHANARUA District- Patna

SANTOSH KUMAR @ NINI S/o Sri Ramashish Singh R/o village- Panpura,
P.S.- Dhanarua, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate
		Mr. Surendra Kumar Mishra, Advocate
For the Opposite Party/s	:	Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

6 04-01-2021 Heard Shri Yogesh Chandra Verma, the learned senior counsel appearing for the petitioner and Shri Shyameshwar Dayal, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Dhanarua P.S. Case No. 178 of 2019 for the offence registered under Sections 399 and 402 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

The allegation is regarding the police having received secret information that some miscreants are planning to commit dacoity, whereafter they had intercepted and apprehended the accused persons and upon search, as far as the petitioner is concerned, three live cartridges and some mobile phones were recovered.

The learned senior counsel for the petitioner Shri Verma has submitted that the petitioner is innocent, has been falsely



implicated in the present case and he is having a clean antecedent. It is further submitted that the petitioner is languishing in custody since 08.05.2019.

Per contra, the learned counsel for the State 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 parties and taking into account the materials available on record, this Court finds that a general and omnibus allegation has been leveled against the petitioner and moreover no arms have been recovered from the possession of the petitioner, hence minuscule evidence is available on record so as to connect the petitioner with the alleged crime, thus I deem it fit and proper to admit the petitioner herein to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Masaurhi in connection with Dhanarua P.S. Case No. 178 of 2019.

(Mohit Kumar Shah, J)

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