

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18363 of 2021**

Arising Out of PS. Case No.-333 Year-2020 Thana- KUDRA District- Kaimur (Bhabua)

Prem Pandey Son of Murahu Pandey, Resident of Village- Lodipur, P.S. Chainpur, District -KAIMUR at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL ORDER

3 22-10-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 25 (1-B), A/26, 27, 35 of the Arms Act.

Prosecution case, in brief is that the informant has got secret information, some miscreants have committed crime of loot from the truck driver on NH-2, police reached there in civil dress. Miscreants stop the truck and some other miscreants came there with intention to commit loot. In the meantime, police party reached there and tried to apprehend the miscreants but out of them one fired at the police party by his Katta, which



misfired then the police nabbed three miscreants and some has managed to escape away.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He submits that the petitioner is said to be apprehended by the police alongwith two other but no incriminating articles were recovered from the conscious possession of the petitioner.

Learned counsel for the petitioner further submits that the allegation of recovery of arms is said to be made from the possession of co-accused, namely, Kabindra Kohar and nothing was recovered from the possession of this petitioner. The petitioner is languishing in judicial custody since 02.11.2020. The petitioner has got three criminal antecedents, which is mentioned in para 3 of the bail petition. Charge sheet has been submitted in this case.

Learned APP for the State vehemently opposed the prayer for bail application.

Considering the custody of the petitioner and there is no incriminating articles were recovered from the conscious possession of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each



in connection with Kudra P.S. Case No. 333/2020 to the satisfaction of learned Court below where the case is pending/ successor Court.

(Anjani Kumar Sharan, J)

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