

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24166 of 2021

Arising Out of PS. Case No.-690 Year-2020 Thana- SASARAM NAGAR District- Rohtas

Upendra Kumar @ Upendra Kahar Son of Gopal Chandrabanshi @ Gopal Kahar @ Gopal Prasad Chandravanshi Resident of Mohalla - Mubarakganj, P.S.- Sasaram, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-11-2021 Heard Shri Krishna Prasad Singh, learned senior counsel for the petitioner and learned A.P.P. for the State.

The petitioner is seeking regular bail in connection with Sasaram (Town) P.S. Case No. 690 of 2020 instituted for the offences under Sections 25(1-b)a, 26 and 35 of the Arms Act and Sections 4 and 5 of the Explosive Substance Act.

Learned senior counsel for the petitioner submits that from bare perusal of the allegation as alleged in the F.I.R. it would manifest that the informant received secret information that some miscreants have assembled at the door of Krishna Kahar @ Challu Kahar and are making plan for committing dacoity. A raid was conducted and six persons were arrested including this petitioner at the spot and arms and ammunitions were also recovered from their position.

The learned senior counsel submits that no arms or



ammunition have been recovered from the possession of this petitioner and arms and ammunitions have been recovered from the possession of co-accused. He further submits that accused similarly situated like present petitioner namely Vicky Kumar @ Vikky Kumar @ Bikki Kumar and Raj Kishore Sharma @ Dharmendra Yadav have been granted bail by order dated 28.09.2021 in Cr. Misc. No. 35709 of 2021. It is further submitted that the petitioner is in custody since 18.10.2020.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the similarly situated co-accused have been granted bail and the petitioner is in custody since 18.10.2020 and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Rohtas at Sasaram in connection with Sasaram (Town) P.S. Case No. 690 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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