

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29693 of 2021

Arising Out of PS. Case No.-55 Year-2020 Thana- SONBERSA District- Sitamarhi

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SANDEEP KUMAR S/O HULAS MAHTO RESIDENT OF VILLAGE
FARCHHAHIYA, P.S SONBARSA, DISTRICT SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Adv.

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-12-2021 Heard Mr. Vinod Kumar, learned counsel for the

petitioner and learned Additional Public Prosecutor for the

State.

Petitioner seeks regular bail in connection with
Sonbarsa PS Case No. 55/2020 registered for the offence
punishable under Sections 399, 402, 414 of the IPC and Section
25(1-b)a 26/35 of the Arms Act.

The allegation, as per First Information Report, is that
the police, on the basis of secret information that some anti-
social elements have assembled in an orchard, proceeded
towards the place of occurrence and upon seeing the police
party, the accused persons started fleeing away, however, the
police arrested three accused persons including the petitioner
and from possession of the petitioner one loaded pistol and



three live cartridges were recovered.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedents and at the time of recovery of the fire-arms from the possession of the petitioner, procedure regarding search and seizure prescribed under CrPC has not been adhered to.

Learned counsel further submits that similarly situated co-accused, namely, Gopal Kumar has been granted bail by the Co-ordinate Bench of this Court *vide* Cr. Misc. No. 29953/2020. He next submits that the petitioner is in custody since 09.03.2020.

Regard being had to the submissions made by the parties and taking into consideration the material on record and the fact that similarly situated co-accused, Gopal Kumar has been granted bail by this Court, petitioner is in custody since 09.03.2020, petitioner has got no criminal antecedents and the charge-sheet has already been submitted in the matter, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, SANDEEP KUMAR 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 Chief Judicial Magistrate, Sitamarhi in



connection with Sonbarsa PS Case No. 55/2020.

(Anil Kumar Sinha, J)

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