

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31613 of 2021**

Arising Out of PS. Case No.-166 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

SHIVAM KUMAR @ GOLU S/o Sanehi Ray R/o village- Daulatpur, P.S.-
Hajipur Sadar, PIN- 844102, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 17-12-2021 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 399 and 402 of the Indian Penal Code, sections 25(1-B)(a), 26 and 35 of the Arms Act and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on receiving information about accused persons having gathered and planning to give effect to an occurrence it is stated that a raid was conducted and seven accused persons were apprehended while two of them managed to escape. The petitioner was amongst the persons apprehended and it is stated that from his possession two magazines were recovered.



It is submitted by learned counsel for the petitioner that no incriminating article has recovered from the petitioner's possession who is in custody since 20.2.2021 and has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner having remained in custody for more than 9 months, the petitioner is directed to be enlarged on bail in connection with Hajipur Sadar P.S. Case no. 166 of 2021 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 Sessions Judge II – cum – Excise Court, Vaishali at Hajipur.

(Partha Sarthy, J)

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