

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26072 of 2020

Arising Out of PS. Case No.-41 Year-2020 Thana- KUDHNI District- Muzaffarpur

SAROJ SINGH Son of Yogendra Singh Resident of Village - Kishunpur
Mohani, P.S.- Kudhani, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Vandana

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks from the date of restoration of normalcy.

The petitioner seeks bail in a case instituted for the
offences under Sections 399, 402, 414/34 of the Indian Penal
Code and 25(1-b)a, 26 and 35 of the Arms Act.

Prosecution case, in short, is that in a raid conducted
by the police, arms were recovered from the possession of the
accused persons.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 29.01.2020 and has got no
criminal antecedent. Charge-sheet has been submitted in this



case. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired in the present case on the basis of disclosure made by co-accused. The petitioner is said to be owner of the vehicle in question. There is no recovery of arms from the conscious possession of the petitioner. The arms are said to have been recovered from co-accuseds namely Aman Kumar, Gaurav and Ashutosh. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -3rd West-cum- Sub Judge, Muzaffarpur in connection with Kudhani P.S. Case No. 41 of 2020.

(Sudhir Singh, J)

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