

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29932 of 2020

Arising Out of PS. Case No.-237 Year-2020 Thana- GARKHA District- Saran

=====

Pushpak Kumar S/o Devranjan Singh Resident of Village-Sanwari, P.S.-
Jalalpur, District-Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Jai Kishore Sharma, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 05-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for regular bail has been filed
by the petitioner in connection with Garkha P.S. Case No.237 of
2020 registered under sections 399, 402, 413, 414, 420, 468 and
34 of the Indian Penal Code and sections 25(1-B)(a), 26 and 35
of the Arms Act.

As per allegation in the FIR, it is stated by the
informant that on information having been received of accused
persons having gathered and were making preparations for
giving effect to an occurrence, a raid was conducted and 11
accused persons including the petitioner herein was arrested. It
is stated that from the accused persons 8 motorcycles and two
pistol with cartridges were recovered.

It is submitted by learned counsel for the petitioner
that the allegation as levelled in the F.I.R. are false and



concocted. No recovery of any incriminating article has taken place from the possession of the petitioner. As per the F.I.R. the recovery from the petitioner is of a Hero Honda Splendor Motorcycle and a mobile phone. The petitioner is in custody since 5.6.2020 and had no criminal antecedent. It is submitted that however, subsequently he has been remanded in one other case lodged under section 392 of the Indian Penal Code.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the articles recovered from the possession of the petitioner together with the petitioner being in custody since 5.6.2020, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Garkha P.S. Case No.237 of 2020 on his furnishing bail bond of Rs. 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra.

(Partha Sarthy, J)

Bibhash/-

U			
---	--	--	--

