

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37035 of 2020

Arising Out of PS. Case No.-97 Year-2019 Thana- HATHIDAH District- Patna

BIHARI KUMAR S/o Bharat Mahto Resident of Village-Simariyaghat Bind
Toli, P.S.-Barauni, Distt.-Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No.1, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 02-02-2021 Heard the learned counsel for the petitioner and
the State.

The petitioner seeks bail in connection with Sessions Trial No. 188 of 2020, arising out of Hathidah P.S. Case No. 97 of 2019 dated 20.11.2019 instituted for the offences under Sections 399 and 402 of the Indian Penal Code and under Section 25 (1-b)A, 26, 35 of the Arms Act.

A loaded country made pistol and cartridges is said to have been recovered from the possession of the petitioner. The further allegation in the FIR is that the petitioner and others were planning to commit robbery.

Learned counsel for the petitioner has submitted that the recovery of firearms and cartridges has wrongly been saddled on him.



He is in custody since 21.11.2019 and there is no substantial progress in the case before the court below.

Considering the nature of accusation and the period of custody of the petitioner, he is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge III, Barh, Patna in connection with Sessions Trial No. 188 of 2020, arising out of Hathidah P.S. Case No. 97 of 2019.

While saying so, this Court has taken note of the fact that the petitioner has clean antecedents.

(Ashutosh Kumar, J)

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