

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50322 of 2021**

Arising Out of PS. Case No.-175 Year-2021 Thana- GAYA MUFASIL District- Gaya

KUMAR DIVESH Son of Shri Dinesh Prasad Singh Resident of Mohalla-
Lakhibag, P.S.- Muffasil, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Vaishnavi Singh
For the Opposite Party/s : Mr.Harendra Prasad

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 26-11-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 399, 402 of the Indian Penal Code and u/s 25(1-b)a, 26, 35 of Arms Act.

As per the prosecution case, on secret information that 8-9 miscreants are moving in a Scorpio vehicle and planning to commit some crime, raid was conducted and this petitioner along with eight other accused persons were apprehended and 24 bottles of illicit liquor has been recovered from the vehicle in question.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. From perusal of seizure list, it is apparent that no arms or ammunition has been recovered from the possession of the



petitioner and for recovery of illicit liquor a separate case was registered in which petitioner is on bail. The Scorpio vehicle belongs to father of the petitioner and the same is not stolen one. Petitioner is in custody since 06.04.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, 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 Chief Judicial Magistrate, Gaya in connection with Muffasil PS case No.175/2021.

(Prabhat Kumar Singh, J)

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