

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2731 of 2021

Arising Out of PS. Case No.-59 Year-2020 Thana- MAHUA District- Vaishali

AMARDEEP KUMAR S/o Dhirendra Singh R/o Village- Gadopur, P.S.-
Mahua, District- Vaishali Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-01-2021 Heard the learned counsel for the petitioner and Sri
Ashok Kumar, the learned APP for the State.

The petitioner seeks regular bail in connection with Mahua PS case no. 59 of 2020 instituted for the offence punishable under Sections 25(1-b)a, 26, 35 of Arms Act.

The prosecution has develled allegation to the effect that when three persons were going on a motorcycle, the police had tried to stop them and apprehended the co-accused person namely Abhishek Kumar, who in turn disclosed the name of the petitioner and one other co-accused person namely Amrendra Kumar to be the persons who had fled away. It is alleged that upon search being made, one countrymade pistol and five live cartridges were recovered from the possession of the said apprehended co-accused person namely Abhishek Kumar.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 14.03.2020. The learned counsel for the petitioner has further submitted that no illicit arm has been recovered from the conscious possession of the petitioner and merely upon disclosure made by the co- accused person Abhishek Kumar, the petitioner has been made an accused in the present case.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and appropriate to release the abovenamed petitioner on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Vaiashali at Hajipur in connection with Mahua PS case no. 59 of 2020.

(Mohit Kumar Shah, J)

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