

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10046 of 2021

Arising Out of PS. Case No.-435 Year-2020 Thana- MOTIHARI MUFASIL District- East
Champaran

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Sandeep Kumar Son of Surendra Rai Resident of village- Dhekaha Laxman
Tola, P.S.- Muffasil, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-06-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Mufasil P.S. Case No.
435 of 2020 registered under sections 414 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 F.I.R., on a search being
conducted, the petitioner and one another accused were caught
and a loaded country made pistol with a live cartridge as also
another live cartridge was recovered from the possession of the
petitioner.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from his person



or possession. He has been falsely implicated in the case. He has no criminal antecedent and is in custody since 21.9.2020.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case together with the petitioner not having any criminal antecedent and being in custody for over eight months, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Mufasil P.S. Case No. 435 of 2020 on 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, Motihari, East Champaran.

(Partha Sarthy, J)

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