

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4554 of 2022

Arising Out of PS. Case No.-73 Year-2016 Thana- CHANDAN District- Banka

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Nakul Barnbal @ Nakul Modi Son of Late Yugal Kishore Barnbal Resident of
Village- Tanakbari, P.S.- Chandan, District- Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, App

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 06-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Chandan (Anandpur) P.S. Case No. 73 of 2016 instituted for the
offences under Sections 121, 121(A), 120(B) of the Indian Penal
Code and under Sections 25(1-b)a, 26 and 35 of Arms Act,
Section 3/4 of Explosive Substances Act, Sections 9, 10, 11, 13 of
U.A.P. Act and 17 of C.L.A. Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 03.08.2021 charge-sheet has been
submitted in the case and has antecedent of 6 cases.

The accusation is that on receiving secret information
about gathering of Mantu Khaira, Area Commander of
extremists along with his associates in village Piluwa, the police



personnel reached there, where both the petitioners were apprehended in sleeping condition. On search, one loaded rifle along with 130 cartridges was recovered from the possession of Sikandar Khaira and one hand grenade is said to have been recovered from the possession of Arjun Khaira.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R., petitioner's name revealed only in the confessional statement of Sikandar Khaira and nothing has been recovered from the possession of the petitioner. Further, it is submitted by the learned counsel for the petitioner that other accused persons namely, Sikandar Khaira, Arjun Khaira have been granted bail by the Co-ordinate Bench of this Court vide order dated 06.03.2017 passed in Cr. Misc. No. 4913 of 2017.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 03.08.2021 and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in



connection with Chandan (Anandpur) P.S. Case No. 73 of 2016.

(Khatim Reza, J)

Gaurav Kumar/-

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