

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8677 of 2022

Arising Out of PS. Case No.-519 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Basant Kumar @ Gilhariya Son of Ram Naresh Singh @ Gorelal Singh
Resident of Village - and P.S.- Nayagaon, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate
For the Opposite Party/s : Mr. Harendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 29-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Muffasil P.S. Case No. 519 of 2021 instituted for the offences
punishable under Sections 399 and 402 of the Indian Penal Code
and Section 25(1-B)a, 26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 17.12.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

The prosecution case, in short, is that the informant
got a secret information that four to five criminals armed with
deadly weapon and they were planning to commit crime. After
getting information, informant along with police personnel



reached at the said place and after seeing police, the accused persons started fleeing away but one of them was caught by A.S.I. Sanjeet Kumar. During the course of investigation, he disclosed his name as Pritam Kumar @ Glutra and also disclosed the name of other fleeing persons namely, Shivam Kumar, Deva Kumar, Raushan Kumar and Basant Kumar @ Gilhariya (petitioner). On search, one country made automatic pistol loaded with four cartridges was recovered from the possession of Pritam Kumar and accordingly a seizure list was prepared.

Learned counsel for the petitioner submits that the petitioner is innocent and his name transpired in this case on the basis of confessional statement of co-accused namely, Pritam Kumar. It is further submitted that no incriminating articles have been recovered from the possession of the petitioner.

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 17.12.2021 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 C.J.M., Begusarai in connection with
Muffasil P.S. Case No. 519 of 2021.

(Khatim Reza, J)

Gaurav
Kumar/Annpurna
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