

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10327 of 2022

Arising Out of PS. Case No.-726 Year-2021 Thana- MOTIHARI TOWN District- East
Champaran

Prakash Kumar Son of Mukesh Singh Resident of Village - Sohanpura, P.s.-
Pipra, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate

For the Opposite Party/s : Mr. Raj Kishore Singh, A.P.P

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 17-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case
registered for the offence punishable under Sections 399 and
402 of the Indian Penal Code Sections 25(1-b)a, 26, 35 and
25(1-aa) of the Arms Act.

The prosecution case, in short, is that informant along
with other police personnel on getting secret information
regarding six to seven accused persons are gathered to commit
crime and they have huge quantity of arms and ammunition
thereafter, police party conducted raid and arrested five persons
and on search, several arms and ammunition were recovered
from different accused persons. It is also stated that there is no



recovery was made from the possession of the petitioner and Vikash Kumar and accordingly, the seizure list was prepared.

Learned counsel for the petitioner submits that innocent and has committed no offence. He further states that the name of the petitioner transpires in this case on the confessional statement of other co-accused, namely, Arun Kumar Gupta. No incriminating articles have been recovered from the possession of the petitioner. The petitioner is in custody since 17.12.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

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

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned C.J.M., East Champaran at Motihari in connection with Town P.S. Case No. 726 of 2021.

(Khatim Reza, J)

Gaurav Kumar/-

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