

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19334 of 2022

Arising Out of PS. Case No.-561 Year-2021 Thana- SURSAND District- Sitamarhi

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Barktullah Rain @ Bhusal Rain Son of Late Salim Rain Resident of village -
Hanuman Nagar, P.S.- Sursand, District - Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate.

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 21-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks regular bail in connection with
Sursand P.S. Case No. 561 of 2021 registered under Sections
399, 402, 414 of the Indian Penal Code read with Sections
25(1-b)(a), 26, 35 of the Arms Act and Section 8/20(b)(ii)(c)
22 of the NDPS Act.

The case of prosecution is that upon secret
information the police reached in mango orchard where
criminals were gathered and planning to commit a crime.
During raid there were 12 persons identified and different
items were recovered from their possession. Recovery of

Danda was taken place with the present petitioner. Case was lodged under different provisions of Indian Penal Code, Arms Act and NDPS Act.

Learned counsel for the petitioner submits that no offence is made out either under Arms Act or under NDPS Act, only *Danda* has been recovered from the petitioner's possession as per the F.I.R. and for that petitioner is in custody since 10.12.2021. He further submits that Co-ordinate Bench of this Court has granted bail to other co-accused Vivek Kumar, Pramod Kumar @ Pramod Kmar Sah @ Doctor Saheb, Manoj Kumar Sah and Janak Lal Mahto having serious allegation than the present petitioner.

Learned counsel for the State opposes the prayer for bail.

Considering the facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge -cum- Sessions Judge, Sitamarhi in connection with Sursand P.S. Case No. 561 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands
allowed.

(Dr. Anshuman, J.)

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