

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22970 of 2022

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

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Vikash Kumar S/O Rakesh Singh Resident Of Village- Nadda, P.S.-
Bhairoganj, District- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nikhil Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 09-09-2022 This matter has been taken-up through video
conference.

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 25(1-B)a and 26/35/25(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 the petitioner is innocent and has falsely been implicated in this case. It is further submitted that nothing has been recovered from the conscious possession of the petitioner. It is submitted that another accused person, namely, Prakash Kumar has been granted bail *vide* order dated 18.08.2022, passed in Criminal Miscellaneous No. 10327 of 2022 by this Court. Further, it is submitted 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.

Learned A.P.P for the State 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 Chief Judicail Magistrate, Motihari, East Champaran in connection with Nagar (Motihari) P.S. Case No. 726 of 2021.

(Khatim Reza, J)

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