

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25166 of 2022

Arising Out of PS. Case No.-76 Year-2022 Thana- MADANPUR District- Aurangabad

Akhilesh Singh, S/o Bhuilal Singh, Resident of Village- Gaharpur, P.S.-
Tekari, District- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Kumar Pathak, Advocate
For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 23-12-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

In the present case, the petitioner seeks bail in connection with Madanpur P.S. Case No. 76 of 2022, registered for the alleged offences under Sections 399/402 of the Indian Penal Code and Sections 25(1)b-a/26(II)/35 of the Arms Act.

The prosecution case is that the police intercepted a Scorpio vehicle on secret information that some criminals were making plan for committing a crime. From the intercepted vehicle, the petitioner and other co-accused persons were apprehended and one country made loaded pistol along with a live cartridge apart from mobile phones and cash were recovered.

The learned counsel for the petitioner submits that



petitioner is innocent and he has been going to attend some marriage party and he was apprehended merely on the basis of suspicion. The petitioner has nothing to do even with the vehicle from which he was apprehended. The cash or mobile phone recovered from the petitioner belongs to him and is not related to any crime. There is no direct or indirect cogent evidence against the petitioner, who is in custody since 20.02.2022. Charge-sheet has been submitted in this case.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the nature of allegation and further considering the period of custody of the petitioner along with submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Madanpur P.S. Case No. 76 of 2022, subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.



(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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