

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34248 of 2021

Arising Out of PS. Case No.-13 Year-2021 Thana- SANDESH District- Bhojpur

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ANKIT KUMAR SON OF GANESH THAKUR Resident of Village -
Bhatauli, P.S.- Sandesh, Distt.- Bhojpur,

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Ataul Haque
For the Opposite Party/s : Mr. Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 17-01-2022 Heard learned counsel for the parties through video conferencing.

Petitioner seeks regular bail in connection with Sandesh P.S. Case No. 13 of 2021 registered for the offence under Sections 414 / 34 of the I.P.C. and Section 25 (1-B)a / 26/ 35 of the Arms Act.

As per the allegation Police during course of regular checking intercepted a motorcycle on which three persons were riding and on search one live cartridge of 12 Bore and one “Nokia” mobile has been recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case by the Police with oblique motive. He further submits that at the time of search and seizure the procedures prescribed under the Cr.P.C. have not been followed and the signature of independent



witnesses is not there in the seizure list. He next submits that petitioner has got no criminal antecedent, he is in custody since 16/01/2021 and the co-accused / Vikash Kumar Singh has been granted bail by a Co-ordinate Bench of this court in Cr. Misc. No. 45531 of 2021. Learned counsel on instruction submits that petitioner is not the owner of the motorcycle and he was sitting on the motorcycle as a pillion rider.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioner has got no criminal antecedent, he is in custody since 16/01/2021, charge sheet has already been submitted and the co-accused has been granted bail by a Co-ordinate Bench of this Court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Bhojpur at Ara in connection with Sandesh P.S. Case No. 13 of 2021.

praful/-

(Anil Kumar Sinha, J)

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