

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34618 of 2022

Arising Out of PS. Case No.-95 Year-2021 Thana- PURNAHYA District- Sheohar

AMIT SAH Son of Shri Ram Sah Resident of Village - Parsauni Math Tola,
P.s.- Bairgania, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar
For the Opposite Party/s : Mr. Nawal Kishore Prasad

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 28-09-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in a case registered u/s 399 and 402 of the Indian Penal Code and 25(1-b)(a), 26 and 35 of the Arms Act.

As per the prosecution case, two loaded country made pistols with four live cartridges, knife, mobile and a motorcycle were recovered from the possession of the co-accused Karan Kumar @ Gulshan and the two other co-accused managed to flee after seeing the police whose names are Raja Kumar and Md. Raja @ Irfan Ansari. It was further revealed that one co-accused person Chhotelal Mahto and the petitioner Amit Shah do the work of liner.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. Charge-sheet has already been submitted against the petitioner. It is further submitted that the co-accused has already been granted bail by a Co-ordinate Bench *vide* order dated 22.03.2022 passed in Cr. Misc. No. 61721 of 2021. The petitioner is accused in one more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 23.03.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Sheohar in connection with Purnahya P.S. Case No. 95 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

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