

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45540 of 2021

Arising Out of PS. Case No.-132 Year-2020 Thana- AMARPUR District- Banka

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DIPAK SINGH Son of Lakshman Singh Resident of Village - Kenduar, P.S.-
Amarpur, Dist.- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anirudh Mishra, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-01-2022 Heard learned counsel for the parties through video conferencing.

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

As per the prosecution case, on information having been received that eight persons were making preparation to give effect to an occurrence, a raid was conducted and two accused were caught while two persons managed to escape. A country-made pistol and two live cartridges were recovered from the possession of the two accused who were caught and they disclosed that the petitioner was among the accused who had managed to escape.



It is submitted by learned counsel for the petitioner that neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession. The only material against him is the statement of the co-accused made before police. The petitioner is in custody since 6.4.2021 and has no criminal antecedent. Chargesheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner not having been arrested at the spot nor having any criminal antecedent, the petitioner is directed to be enlarged on bail in connection with Amarpur (Fullidumar) P.S. Case no. 132 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka.

(Partha Sarthy, J)

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