

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50090 of 2021

Arising Out of PS. Case No.-171 Year-2021 Thana- BAJPATTI District- Sitamarhi

PANKAJ BAITHA S/O VISHNU BAITHA R/o village- Balha Manorath,
P.S.- Bajpatti, District- Sitamarhi- 843320

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar, Advocate

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 23-02-2022 Heard learned counsel for the parties.

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 the accused persons including the petitioner were making attempt to give effect to an occurrence, a raid was conducted and incriminating articles were recovered from the possession of the three accused persons. The petitioner was also caught at the place of occurrence.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. Even accepting the allegations in the FIR to be true for the sake of argument, no incriminating article has been recovered from the



petitioner's possession who is in custody since 22.6.2021 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, no incriminating article having been recovered from the petitioner's possession who is in custody for 8 months, the petitioner is directed to be enlarged on bail in connection with Bajpatti P.S. Case no. 171 of 2021 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 Sub Divisional Judicial Magistrate, Pupri, Sitamarhi.

(Partha Sarthy, J)

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