

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54440 of 2021

Arising Out of PS. Case No.-15 Year-2021 Thana- LAURIA District- West Champaran

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AVINASH KUMAR S/O Mewalal Patel Resident of Village and P.S. -
Mainatand, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-05-2022 Heard the parties through video conferencing.

Petitioner seeks regular bail in connection with
Lauriya PS Case No. 15 / 2021 registered under Sections 413 /
414 / 34 of the I.P.C. and Section 25 (1-b)a / 26 / 35 of the
Arms Act.

Police intercepted one motorcycle on which three
persons were riding and upon seeing the police party they
started fleeing away, however, two persons were arrested and
one person succeeded in fleeing away. The arrested accused
persons disclosed the name of the person who fled away as Md.
Aurangzeb. From possession of the petitioner one country made
pistol, one cartridge, 03 master keys and one blue colour mobile



have been recovered and from possession of the arrested co-accused / Bhola Yadav one cartridge and one mobile were recovered.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and at the time of seizure procedure prescribed under Section 100 of the CrPC was not followed. He next submits that petitioner is in custody since 16-01-2021 and charge sheet has already been submitted .

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioner is in custody since 16/01/2021, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence if released on bail, as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -1st, Bettiah, West Champaran in connection with Lauriya PS Case No. 15 / 2021 on the following condition :-

- (a) that the petitioner shall remain present
on each and every date during the course of trial



and in case of default on two consecutive dates
on the part of the petitioner, his bail bond shall
liable to be cancelled.

(Anil Kumar Sinha, J)

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