

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40115 of 2021

Arising Out of PS. Case No.-104 Year-2021 Thana- MAHARAJGANJ District- Siwan

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ALOK KUMAR SINGH @ ALOK PRAKASH S/O DEEP NARAYAN
SINGH R/o village- Kapiya Nijamat, P.S.- Maharajganj, District- Siwan
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 57138 of 2021

Arising Out of PS. Case No.-104 Year-2021 Thana- MAHARAJGANJ District- Siwan

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VIJENDRA KUMAR @ ASHISH KUMAR S/o Arvind Kumar R/o village-
Nakhas Chowk, Maharajganj, P.S.- Maharajganj, District- Siwan
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 40115 of 2021)

For the Petitioner/s : Mr. Gajendra Kumar Singh, Adv.

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

(In CRIMINAL MISCELLANEOUS No. 57138 of 2021)

For the Petitioner/s : Ms. Indira Kumari, Adv.

For the Opposite Party/s : Mr. Bisheshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 12-04-2022 Heard the parties.

Both the bail applications have been heard together
and are being decided by a common order as they arise out of
same PS Case i.e., Maharajganj PS Case No. 104/2021.

Petitioners seek regular bail in connection with
Maharajganj PS Case No. 104/2021 registered for the offence
punishable under Sections 25(1-b)a, 26, 35 of the Arms Act.

A loaded pistol has been recovered from the



possession of Alok Kumar Singh @ Alok Prakash, petitioner of Cr. Misc. No. 40115/2021 and one live cartridges along with one mobile phone has been recovered from Vijendra Kumar @ Ashish Kumar, petitioner of Cr. Misc. No. 57138/2021 by Maharajganj Police on 17.04.2021.

Learned counsel for the petitioners referring to Annexure-3 submits that from perusal of the same, it would be evident that the petitioners were brought from Delhi on transit remand in connection with Maharajganj PS Case No. 331/2020 and 321/2020 on 15.04.2021 and from perusal of order-sheet of Maharajganj PS Case No. 331/2020, it would be evident that the petitioners were not remanded in the aforesaid cases. Learned counsel further submits that the petitioners have falsely been implicated at the instance of police official inasmuch as when the petitioners were brought in remand from Delhi in particular case and were in custody of the police personnel, the allegation made in the FIR that the fire-arms were recovered on 17.04.2021 is palpably false and it appears that the police has falsely implicated these petitioners in the present case with oblique motive.

Regards being had to the submissions made by the parties and taking into consideration the contents of Annexure-3



and 4 and the fact the petitioners were brought on transit remand one day prior to the date of present occurrence and were in custody of the police personnel, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, namely, 1. Alok Kumar Singh @ Alok Prakash (Cr. Misc. No. 40115/2021) and 2. Vijendra Kumar @ Ashish Kumar (Cr. Misc. No. 57138/2021) be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Siwan in connection with Maharajganj PS Case No. 104/2021.

(Anil Kumar Sinha, J)

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