

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50689 of 2022

Arising Out of PS. Case No.-80 Year-2021 Thana- SARE District- Nalanda

AKASH KUMAR S/o Maru Yadav R/o Village/Mohalla- Naya Tola,
Jurabganj, P.S.- Korha, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar
For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 13-12-2022 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 under sections 399, 402, 411 and 120B of the Indian Penal Code and sections 25(1-B)(a), 26 and 35 of the Arms Act.

As per the prosecution case, some miscreants armed with weapons were planning to commit dacoity. On seeing the police, all the miscreants started to flee away but four miscreants were apprehended and one miscreant escaped. The



apprehended miscreants disclosed their name as Anand Kumar, Ronit Kumar, Sunny Kumar and the petitioner Akash Kumar. From the possession of the petitioner one country-made pistol, one live cartridge, a mobile, Rs. 9,000 and small rod were recovered.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The other co-accused has already been granted bail vide order dated 27.09.2022 passed in Cr. Misc. No. 29341 of 2022. The petitioner is accused in seven other criminal cases which are of the same year as stated in para 3 of the bail petition. Prior to the said year there were no criminal antecedents against the petitioner. The petitioner is in custody since 02.07.2021.

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 period of detention, 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, Nalanda in connection with Sare P.S. Case No. 80 of 2021, with a condition that :-



1)The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of his bail bond.

The application stands allowed.

(Chandra Prakash Singh, J)

Ayush/niku/-

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