

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66866 of 2021

Arising Out of PS. Case No.-380 Year-2021 Thana- BAHADURPUR District- Darbhanga

Raju Dubey, Son Of Late Gorakh Dubey Resident Of Village- Kapsa, P.S.-
Kandharapur, District- Aajamgarh (U.P.).

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra
For the Opposite Party/s : Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-05-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 414, 399, 402 of the Indian Penal Code and Section 25(1-b), 26, 35 of the Arms Act.

The learned counsel for the petitioner submits that the petitioner is in custody since 18.07.2021, he is a person with clean antecedent and charge-sheet has been submitted in the case.

The learned counsel for the petitioner submits that the informant alleges that three accused persons were apprehended from whose possession, arms, cartridges, knife etc. were recovered and they disclosed the name of the petitioner and Ram Babu Soni, who fled from the place of occurrence.



The learned counsel for the petitioner submits that admittedly, the petitioner was not arrested from the spot and as such, no recovery was made from his possession and his name came based on the confessional statement of co-accused which has no evidentiary value.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody, he is a person with clean antecedent, charge-sheet has been submitted in the case and was not arrested from the spot, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bahadurpur P. S. Case No.380 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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