

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2044 of 2023

Arising Out of PS. Case No.-122 Year-2022 Thana- MATIHANI District- Begusarai

Kujesh Kumar @ Kunjesh Kumar Son Of Kare Yadav R/V- Pulwaria, P.S.-
Gogri, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvottam Kumar

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Matihani P.S. Case No. 122 of 2022 registered under sections 25(1-b)a/26/35 of the Arms Act.

Prosecution case relates to recovery of one iron rod carbine along with two magazines from the motorcycle which was being driven by the co-accused and this petitioner sat on the said vehicle.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted that nothing has been recovered from the conscious possession of



the petitioner rather the recovery has been made from the bag of the co-accused person. During investigation, no any independent witnesses have supported the prosecution version. The petitioner has no concern either with the alleged recovery or with this offence. Nothing cogent material came against the petitioner in this case. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. He is languishing in judicial custody since 26.08.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Matihani P.S. Case No. 122 of 2022 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 J.M. 1st Class, Begusarai.

(Sunil Kumar Panwar, J)

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