

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4734 of 2023

Arising Out of PS. Case No.-479 Year-2022 Thana- FATEHPUR District- Gaya

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GAUTAM KUMAR S/O ASHOK PRASAD @ ASHOK KUMAR Resident
of Village- Abgil Chare, P.S.- Korma, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 414 & 120(B) of the I.P.C. and Sections 25(1-b)a, 26, 35 of Arms Act.

Allegation against the petitioner along with co-accused persons that while they were assembled and preparing for committing offence, the police party raided the place of occurrence and arrested them. On search, one country made pistol along with live cartridge was recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner was passing through the place of occurrence then



police caught and made pressure upon him to become witness and the same was rejected by the petitioner due to this reason he has falsely been made accused in the present case. The petitioner has no concern with the alleged arms which was seized by the police. It is further submitted that the petitioner is languishing in judicial custody since 31.7.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Fatehpur P.S. Case No. 479 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Xth, Gaya.

(Sunil Kumar Panwar, J)

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