

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6807 of 2023

Arising Out of PS. Case No.-351 Year-2021 Thana- BETTIAH CITY District- West
Champaran

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Rohit Kumar S/O Binod Sah Resident Of Village- Badharwa (Garabhua),
P.S.- Sirisiya O.P.- District- West Champaran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar
For the Opposite Party/s : Mr.Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-05-2023 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 a case registered for the

offences punishable under Sections 399, 402, 413, 414

of the Indian Penal Code and Section 25(1-b)a, 26, 35

of Arms Act.

It is a case of recovery of country made pistols,

live cartridges and other incriminating articles from the

possession of co-accused persons. It is further alleged

that apprehended co-accused disclosed that they use to



stral motorcycles from Bettiah Town and sell the same to petitioner and one Mahendra Sah.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Nothing incriminating has been recovered from the conscious possession of the petitioner. He has no concern either with the co-accused persons or with the alleged recovery. The name of petitioner sprang up in this case on the confessional statement of apprehended co-accused persons before the police, which got no evidentiary value in the eye of law. Moreover, the petitioner languishing in judicial custody since 30.10.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody,



this Court is inclined to enlarge the petitioner on bail.

The above named petitioner is directed to be enlarged on bail in connection with Bettiah Town P.S. Case No. 351 of 2021 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 Chief Judicial Magistrate, Bettiah (West Champaran).

(Sunil Kumar Panwar, J)

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