

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9251 of 2023

Arising Out of PS. Case No.-245 Year-2015 Thana- DAGARUA District- Purnia

LALU @ AMIT SHARMA Son of Binod Sharma @ Vinod Kr. Sharma R/O-
Baghuwabari, Ward No.- 16, P.S.- K. Nagar, District - Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh
For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-05-2023 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 399, 402 of the Indian Penal Code, 25(1-b)a/26/35 of the Arms Act and Section 4/5 of the Explosive Substance Act.

As per FIR, 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 four of them and the petitioner is said to have managed to escape. On search, country made pistols along with two country made bombs were recovered from the possession of the apprehended person.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case on the basis of suspicion. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. The name of the petitioner has been transpired in this case on the basis of confession made by co-accused persons who were apprehended on spot. It is further submitted that the petitioner is languishing in judicial custody since 18.10.2022.

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 as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Dagarua P.S. Case No. 245 of 2015 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea.

T(Sunil Kumar Panwar, J)

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