

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9693 of 2023

Arising Out of PS. Case No.-680 Year-2022 Thana- DUMRA District- Sitamarhi

KAMOD KUMAR S/O Shivji Ray R/O Village- Khirhar Tola Amghatta,
Ward No- 35, P.S and District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mr. Ram Priya Sharan Singh

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 and Sections 25(1-B), 26, 35 of Arms Act.

The prosecution story, in brief, is that the police party reached at Parotha Math after getting secret information then the accused persons tried to flee away but three of them including the petitioner were apprehended on spot. Upon search, one loaded country made pistol was recovered from possession of co-accused Raja Kumar.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. The petitioner has no concern with the alleged recovery of arms which were seized by the police and same was recovered from possession of co-accused Raja Kumar. Nothing has been recovered from conscious possession of this petitioner. It is further submitted that the petitioner is languishing in judicial custody since 26.11.2022.

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 Dumra P.S. Case No. 680 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 Chief Judicial Magistrate, Sitamarhi.

(Sunil Kumar Panwar, J)

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