

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12756 of 2023

Arising Out of PS. Case No.-741 Year-2022 Thana- BARH District- Patna

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VIVEK KUMAR SON OF ASHOK YADAV R/O VILLAGE- KAJICHAK,
NEAR KALI MANDIR, P.S.- BARH AND DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Nilendu Kumar Choudhary, Advocate
	:	Mr. Manish Kumar, Advocate
For the Opposite Party/s	:	Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-02-2023 Let the defect(s), if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Barh P.S. Case No.741 of 2022 registered for the offences punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act.

As per the prosecution, the police personnel apprehended this petitioner along with co-accused persons and from the possession of this petitioner a mobile phone was recovered and from the possession of co-apprehended persons



some fire arms and mobile phones were recovered.

The main submissions advanced by the learned counsel Mr. Nilendu Kumar Choudhary for the petitioner are that though as per the allegation made in the FIR, the petitioner was apprehended with co-accused persons but from his possession only mobile phone and motorcycle were recovered and no any type of fire-arm was recovered from his conscious possession and he has fair and clean antecedent and has been languishing in jail since 15.11.2022 and against him the investigation has been completed.

Learned APP appearing for the State has opposed the bail prayer.

In view of the facts, as stated above, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Barh P.S. Case No.741 of 2022.

(Shailendra Singh, J)

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