

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18088 of 2023

Arising Out of PS. Case No.-240 Year-2022 Thana- SIWAIPATTI District- Muzaffarpur

AMRESH KUMAR S/o Shatrudhan Sah R/o Village- Mustafapur, P.S.-
Ahiyapur, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Ms. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 16-05-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Siwaipatti P.S. Case no. 240 of 2022 registered under sections 398, 401, 411 and 34 of the Indian Penal Code and sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, on secret information having been received about three accused persons moving around suspiciously on motorcycle, raid was conducted. Two of the accused including the petitioner herein were caught and it is further stated that on search a loaded country made pistol was recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No



incriminating article has been recovered from his possession.
He is in custody since 13.12.2022, has no criminal antecedent
and chargesheet has been submitted in the case.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and
taking into consideration the nature of allegations, the petitioner not
having any criminal antecedent, his having remained in custody for
5 months since 13.12.2023 and chargesheet having been submitted
in the case, the Court directs the petitioner to be enlarged on bail in
connection with Siwaipatti P.S. Case no. 240 of 2022 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 Sub
Divisional Judicial Magistrate, East, Muzaffarpur.

(Partha Sarthy, J)

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