

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15874 of 2023

Arising Out of PS. Case No.-271 Year-2022 Thana- LADANIA District- Madhubani

HARISH CHANDRA ROY Son of Ram Nath Roy (Wrongly mentioned in the F.I.R. 37 years), Resident of village - Mahua Ekdara, P.S.- Khajauli, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Mr. Ravi Prakash

For the Opposite Party/s : Mr. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-04-2023 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 394, 411 of the Indian Penal Code and Section 25(1-b)a, 26, 35 of the Arms Act.

As per prosecution case, the informant alleged the accused persons including the petitioner tried to flee away after committed robbery of Rs. one lakh but they were caught by the villagers and handed over to the police. Upon search, on loaded country made pistol was recovered from possession of this petitioner and cash of Rs. 4900/- from other co-accused 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. The petitioner has no concern with the alleged recovery of arms which was seized by the police. It is further submitted that the prosecution story is not believable just because only cash of Rs. 4900/- has been recovered whereas the allegation is of robbery of Rs. one lakh. It is further submitted that the petitioner is languishing in judicial custody since 16.9.2022.

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 Ladania P.S. Case No. 271 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 J.M. 1st Madhubani.

(Sunil Kumar Panwar, J)

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