

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16568 of 2023**

Arising Out of PS. Case No.-283 Year-2022 Thana- BARHARA KOTHI District- Purnia

Sikandar Kumar @ Sikendra Yadav Son Of Late Uttam Lal Yadav, R/O

Village- Bithaili, P.S.- Barhara, District- Purnea

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Adv.

For the Opposite Party/s : Mr. Syed Mojibur Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 10-05-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Barhara P.S. Case No. 283 of 2022 dated 05.07.2022 lodged
under Section 394 of the I.P.C. read with section 27 of the Arms
Act.

As per prosecution case, the allegation of *dacoity* is
there in the F.I.R. against three named accused persons
including the petitioner.

Learned counsel for the petitioner submits that the
petitioner is 70 years old aged person and his name was figured

in the earlier cases, only due to this reason, the police has lodged the present case against him. Counsel further submits that from the content of the F.I.R., it transpires that the victims have identified the petitioner out of three accused persons. Learned counsel for the petitioner submits that it is true that the name of the petitioner came in eight criminal cases but it is also true that out of eight criminal cases, he has been acquitted in five criminal cases. Learned counsel for the petitioner further submits that petitioner is in custody since 21.10.2022.

Learned counsel for the State opposes the prayer for bail and submits that there are eight criminal cases of similar nature are pending against the petitioner.

Upon going through the facts and circumstances of this case and particularly considering the fact that out of eight criminal cases, the petitioner has been acquitted in five criminal cases and aged about 70 years, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Addl. Chief Judicial Magistrate, Purnea in connection with Barhara P.S. Case No. 283 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C..

With this observation, the bail application stands
allowed.

(Dr. Anshuman, J.)

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