

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17460 of 2023

Arising Out of PS. Case No.-144 Year-2022 Thana- JALE District- Darbhanga

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DINESH KUMAR S/O HARINANDAN MUKHIA Resident of village-
Bachopatti Narha, P.S.- Bajpatti, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-05-2023 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 section 414 of the Indian Penal Code and Sections 25(1-b)a, 26 & 35 of the Arms Act.

As per FIR, one co-accused namely, Raju kumar was apprehended on spot by the police along with a stolen motorcycle bearing Registration no. BR07AT-7773. Thereafter, on disclosed of the co-accused, the petitioner was also arrested and one loaded country made pistol along with two live cartridges was recovered from possession of this petitioner.

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 arms or with the co-accused person. It is further submitted that as alleged stolen motorcycle has not been recovered from possession of the petitioner. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 15.11.2022.

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 Jalley P.S. Case No. 144 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 Judicial Magistrate (Jalley), Darbhanga.

(Sunil Kumar Panwar, J)

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