

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22876 of 2023

Arising Out of PS. Case No.-234 Year-2022 Thana- SARAIYA District- Muzaffarpur

AKHILESH KUMAR SON OF RAM KISHUN MAHTO R/O VILLAGE-
DALATPUR, P.S.- CHANDI, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. THE S.H.O. OF SARAIYA, POLICE STATION BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jharkhandi Upadhyay, Advocate
For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-07-2023 Learned counsel for the petitioner seeks permission

to make correction in the bail petition. Permitted is allowed.

Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in a case registered for the offence punishable under section 412 of the Indian Penal Code and 25(1-b)a 26, 35 of Arms Act.

As per the prosecution case, on secret information the informant rushed to the house of co-accused Sonu Kumar and arrested him and other co-accused Full Babu Mahoto and also recovered one pistol and some money and the accused apprehended disclosed that some money was also given to this petitioner.

It is submitted that petitioner has falsely been implicated in this case due to previous enmity. Nothing has been



recovered from the possession of the petitioner. Hence, no case u/s 412 of the Indian Penal Code and 25(1-b)a 26, 35 of Arms Act is made out against this petitioner.

Learned counsel for the State opposes the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Muzaffarpur in connection with Saraiya P.S. case no 234 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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