

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22969 of 2023

Arising Out of PS. Case No.-362 Year-2022 Thana- DIGHWARA District- Saran

Santosh Kumar, Son of Late Dewan Rai, Resident of Village- Makshudpur,
P.S.- Shahpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 12-05-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Dighwara P.S. Case No. 362 of 2022 dated 10.11.2022
registered for the offences punishable under Sections 413, 414
read with 34 of the Indian Penal Code and Sections 25(1-b)a,
35 of Arms Act and Section 37(b) of Bihar Prohibition and
Excise Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that the instant matter relates to the
recovery of one country-made pistol, a motorcycle and one
mobile phone and the same are stated to have been recovered
from this petitioner and two co-accused persons who were
alleged to have been apprehended at the spot but as per



prosecution story only one mobile phone was found in the possession of this petitioner and there is no specific allegation against the petitioner to have possession over other alleged articles and he has fair and clean antecedent and has been languishing in jail since 13.11.2022 and against him the investigation has been completed.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the petitioner's fair and clean antecedent and completion of investigation against him and also the petitioner's young age, his custody period and he is not stated to be the owner or driver of the alleged vehicle, in the opinion of this court, the petitioner deserves to a lenient approach of this court. Accordingly, let the petitioner be released on bail in connection with Dighwara P.S. Case No. 362 of 2022 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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