

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27432 of 2023

Arising Out of PS. Case No.-654 Year-2022 Thana- SAKRA District- Muzaffarpur

Rohit Kumar Son Of Vijay Mahto Resident Of Village-Sujawalpur, P.S.-
Sakra, District-Muzaffarpur.

... .. Petitioner/S

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Adv.

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 06-06-2023 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
Sakra P.S. Case No. 654 of 2022 registered on 07.12.2022
lodged under Sections 399, 402 of the I.P.C. and Sections 25(1-
b)a/26/35 of the Arm's Act.

As per the prosecution case, the police upon secret
information conducted a raid, in which two persons, including
petitioner, were apprehended. From the possession of the other
co-accused pistol and live cartridge were recovered but nothing
was recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that the

case has been filed by the police against five named accused persons and out of those five persons, two accused persons were apprehended but rest of the three accused persons could not be apprehended. Counsel submits that from the possession of the petitioner, nothing was recovered, which is apparant from the seizure list.

Counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 08.12.2022 having one criminal case pending against him. Counsel has categorically mentioned that no offence made out under Section 399 of the Indian Penal Code against the petitioner and he is in custody for more than five months.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, 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 Additional Chief Judicial Magistrate -12th, Muzafarpur (East) in connection with Sakra P.S. Case No. 654 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.)

Ashishsingh/-

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