

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29344 of 2023

Arising Out of PS. Case No.-74 Year-2022 Thana- DARIYAPUR District- Saran

1. Prince Kumar Son of Shiv Shanker Nat Resident of Village- Khagaul Pull Ke Neche, PS- Rupaspur, Distt- Patna
2. Godhan Nat Son of Bila Nat Resident of Village- Khagaul Pull Ke Neche, PS- Rupaspur, Distt- Patna
3. Lakhani Nat Son of Buchha Nat Resident of Village- Khagaul Pull Ke Neche, PS- Rupaspur, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Manish Kumar No2, Advocate
For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 03-05-2023 1. Heard learned counsel for the petitioners and the learned APP for the State.
2. Petitioners seek regular bail in connection with Dariyapur P.S. Case No. 74 of 2022 dated 08.02.2022 registered for the offences punishable under Sections 399, 402 and 420 of the Indian Penal Code and Sections 25 (1-B)A, 26 and 35 of the Arms Act.
3. The main submissions advanced by learned counsel for the petitioners are that the petitioners earlier preferred Cr. Misc. No. 41709 of 2022 for the relief of regular bail which was rejected by this Court and thereafter the petitioners have come

again before this Court for the relief of bail mainly on these grounds, firstly after the rejection of petitioners' earlier prayer, two co-accused persons namely, Luchhu Nut and Sani Kumar @ Sunny Kumar, who are carrying more serious allegation than the petitioners as from their possession fire-arms were recovered as per the allegation, have been granted bail by different benches of this Court vide orders passed in Cr. Misc. No. 60404 of 2022 and 45710 of 2022 respectively and co-accused Arjun Paswan, whose earlier prayer was also rejected with the present petitioners by this Court, has been granted bail by this Court vide order passed in Cr. Misc. No. 20757 of 2023 and the case of the petitioners is completely identical to the co-accused Arjun Paswan and secondly, the stage of petitioners' trial has changed and now the petitioners' trial has started and charges have been framed upon them and they have been languishing in jail since 09.02.2022.

4. Learned APP for the State has opposed the bail prayer of the petitioners.

5. Considering the above submissions and mainly the fresh grounds taken by the petitioners, in my opinion, in the present circumstances mentioned above, the petitioners are entitled to be enlarged on bail. Accordingly, let the petitioners named

above be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of concerned Court in connection with Dariyapur P.S. Case No. 74 of 2022.

(Shailendra Singh, J)

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