

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29304 of 2023

Arising Out of PS. Case No.-14 Year-2023 Thana- ALOULI District- Khagaria

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Bittu Kumar Son of Wakil Sharma @ Vokil Sharma, Resident of village-
Ahuna, Police Station-Allouli (Bahadurpur), District-Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 08-06-2023 Let the defect(s), if any, be removed within two weeks
from today.

2. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

3. The petitioner seeks regular bail in connection with
Allouli P.S. Case No. 14 of 2023 dated 18.01.2023 (G.R.
No.158 of 2023), lodged under Sections 25/1-AA/26 (i)(ii)/35 of
the Arms Act.

4. As per prosecution, the criminal case has been
lodged against three known accused persons and two unknown
accused persons. None were arrested from the place of
occurrence and all accused persons fled away. The articles
relating to preparation of gun have been subject to recovery but
from the seizure list it transpires that the said recovery was
made from the ditch (*Chour*) of Village Ahuna Gorkha Bariyar
situated in P.S. Muffasil, District Khagaria.

5. Learned counsel for the petitioner submits that



petitioner has neither been apprehended nor any incriminating material has been recovered from his possession rather the said material has been recovered from a strange place. He further submits that antecedent of petitioner is clean and he is in custody since 20.01.2023. He also submits that other co-accused has already been granted bail by this Court vide order dated 07.06.2023 passed in Cr. Misc. No.29182 of 2023.

6. Learned counsel for the State opposes the prayer for bail.

7. 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 Chief Judicial Magistrate, Khagaria in connection with Allouli P.S. Case No. 14 of 2023 (G.R. No.158 of 2023), subject to the conditions as laid down under Section 437(3) of Cr.P.C..

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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