

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48530 of 2023**

Arising Out of PS. Case No.-51 Year-2023 Thana- DEWARIA District- Muzaffarpur

SANTOSH KUMAR @ SACHIN KUMAR Son of Vijay Sah @ Vijay Saha
Resident of village - Kazi Mohammadpur, P.S.- Paroo, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 13-12-2023 Heard learned counsel for the petitioner and the
State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 399, 402, 414 and 34 of the Indian Penal Code and 25 (1-b)a, 26 and 35 of Arms Act.

3. A secret information was received that four miscreants were planning to commit some serious offence and when the police personnel had arrived at the alleged place of occurrence , one of the miscreants was apprehended on the spot, however, rest of them managed to fled away and on search one loaded country made pistol was recovered. It is also that upon interrogation the said apprehended accused person had disclosed the name of his accomplices, including this petitioner.

4. It is submitted on behalf of the petitioner that



neither any arms have been recovered from the possession of the petitioner nor he has been apprehended from the spot. Except confessional statement of the apprehended co-accused person, there is no other material to show the complicity of the petitioner in the case . Similarly situated co-accused persons have already granted bail by this Court vide order dated 28.07.2023 in Cr. Misc. No. 38431 of 2023 . Petitioner claims clean antecedent.

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

6. 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 the learned Court No. 1 of J . M. 1st Class, /Muzzaffarpur in connection with Deoriya P.S. case No. 51 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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