

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43487 of 2023

Arising Out of PS. Case No.-558 Year-2022 Thana- SUPAUL District- Supaul

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VIVEK MEHTA @ VIVEK KUMAR @ VIKASH KUMAR SON OF
VIRENDRA MEHTA RESIDENT OF VILLAGE- JADIA, WARD NO 13,
PS -JADIA, DIST -SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Goutam

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 399 and 402
of the Indian Penal Code.

As per allegation in the FIR, during patrolling duty,
police apprehended three accused persons and on search one
country made pistol and three cartridges were recovered from
possession of apprehended accused Mantu Kumar. On the basis
of his disclosure, name of petitioner and Santosh mandal came
into light as of his associates, who managed to escape.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. Petitioner



was not apprehended on spot neither anything has been recovered from his possession. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. Nothing has been recovered from his conscious possession. Petitioner is languishing in judicial custody since 22.11.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Supaul in connection with S.T. No. 135 of 2023 arising out of Supaul PS Case No./558 of 2022.

(Sunil Kumar Panwar, J)

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