

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51333 of 2023

Arising Out of PS. Case No.-347 Year-2019 Thana- FATUA District- Patna

SANJIT KUMAR @ SANJIT GOPE Son of Vijay Prasad Resident of village
- Kalyanpur, P.S. - Fatuha, Distt. - Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.N.K Agrawal, Sr. Adv. Mr. Kumar Rajdeep, Adv. Ms. Diksha Kumari, Adv.
For the Opposite Party/s :		Mr.Dilip Kumar No.1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-09-2023 Heard the counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 25(1-b)a/26/35 of the Indian Penal Code.

3. Allegedly, the informant along with other officials raided the house of one Pramod Paswan, many incriminating articles have been recovered.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He is not named in the FIR. He has been made accused in the present case during investigation,



merely because he is cousin of the co-accused. No any incriminating article has been recovered either from his conscious physical possession or from his house. Petitioner has two criminal antecedents out of which in Khushrupur P.S. Case No. 169 of 2019, he has been acquitted by the learned Court below. Now, only one case is pending against the petitioner, in which he is on bail.

5. Learned APP for the State oppose the prayer for bail.

6. Having regard to the facts and circumstances of the case, as no incriminating article has been recovered either from the conscious possession of the petitioner or from his house, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Fatuha P.S. Case No. 347 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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