

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49319 of 2023

Arising Out of PS. Case No.-701 Year-2022 Thana- NAGAR District- Vaishali

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Satish Kumar @ Athani S/O Lal Babu Sahni @ Vaishali Sahni R/O Mohalla-
Nakhash Chowk, P.S- Hajipur Town, District Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Shyameshwar Kumar Singh
For the Opposite Party/s : Mr.Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 11-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 399 and 402 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of Arms Act.

Prosecution case in short, is that, co-accused persons including this petitioner was preparing for committing offence. On the basis of secret information, police raided that place and apprehended some of the accused persons. Further, after search, there have been recovery of



some country made pistols along with some live cartridges and some other incriminating article from their possessions. It is alleged that petitioner is said to be fled from that place.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner was not apprehended on spot rather his name came into light in this case on the basis of confessional statement of other co-accused persons before the police who said that petitioner also involved in this case. It is further submitted that neither anything incriminating article has been recovered from the conscious possession of the petitioner nor he has any concern with the alleged recovery. Moreover, the petitioner is languishing in judicial custody since 13.12.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Hajipur Town P.S. Case No. 701 and 2022 on furnishing bail bond of Rs.10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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