

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49327 of 2023

Arising Out of PS. Case No.-230 Year-2023 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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ABHISHEK KUMAR SON OF DINESH PRASAD YADAV @DINESH
YADAV RESIDENT OF MOHALLA MARUFGANJ ROAD, BATRAHA,
WARD NO 22/37 PS AND DISTRICT -SAHARSA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh

For the Opposite Party/s : Mr.Rajendra Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 414 of the Indian Penal Code and sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per allegation in the FIR, on getting information about movement of antisocial elements for hatching a conspiracy police party proceeded towards the place of occurrence and apprehended three accused persons who were riding on a motorcycle. On search, one country made pistol, one live cartridge, mobile were recovered from pant pocket of co-accused Golu Kumar. On asking, they could not produce any



paper in respect of motorcycle.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. The alleged recovery of arms have been made from co-accused Golu Kumar and not from the possession of the petitioner. He has not committed any violence or injury to anyone. Petitioner has got no criminal antecedent and languishing in judicial custody since 8.5.2023.

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

6. 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 CJM, Saharsa in connection with Bakhtiyarpur P.S. Case No. 230 of 2023.

(Sunil Kumar Panwar, J)

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