

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51151 of 2023**

Arising Out of PS. Case No.-139 Year-2023 Thana- KANTI District- Muzaffarpur

Chitaranjan Kumar Son of Ajay Mahto R/O-Ratan Saar, P.O.-RATAN Saar,
P.S.-PATAHI, Distt.-EAST Champaran At Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Arbind Kumar Pandey(App84)

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 17-08-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Kanti P.S Case No. 139 of 2023 dated 20.02.2023 registered for the offence punishable u/s 401 of the Indian Penal Code and u/s 25(1-b) a, 26/35 of the Arms Act.

4. As per the prosecution case, on secret information the police personnel apprehended four persons who disclosed their names as Sipin Yadav, Ujjwal Kumar, Chitrnanjan Kumar and Rahul Kumr. On search, one auto pistol and two live cartridges were recovered from the possession of Sipin Yadav. One pistol and two live cartridges were recovered from the possession of Ujjwal Kumar.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The said recovery was made from the co-accused Sipin Yadav and Ujjwal Kumar. No incriminating material has been recovered from the conscious possession of the petitioner. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this Court vide order dated 07.08.2023 passed in Cr. Misc. No. 49414 of 2023. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is accused in one more case as stated in para 3 of the bail petition. The petitioner is in custody since 21.02.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned Muzaffarpur in connection with Kanti P.S. Case No. 139 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Jyoti/-

U		T	
---	--	---	--

