

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51923 of 2023

Arising Out of PS. Case No.-242 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Shubham Kumar Son Of Raushan Singh Resident Of Village -SIHMA, Ward
No 1, Ps- Matihani, District -BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh

For the Opposite Party/s : Mr.Rajeev Nayan, App,231

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-08-2023 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,
402 of the Indian Penal Code and Sections 25(1-b)a, 26, 35
of the Arms Act.

As per prosecution case, the accused persons
including the petitioner was apprehended on the spot while
they were preparing for commission of an offence and from
the possession of the petitioner one mobile phone, one gas
cutter and a tube contained in a plastic bag were recovered.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has



falsely been implicated in this case merely on the basis of suspicion. The petitioner has no concern with the alleged recovery nor he has any concern with co-accused persons and he has not committed any wrong. It is further submitted that nothing incriminating article has been recovered from the conscious possession of the petitioner. Moreover, he is languishing in judicial custody since 29.04.2023.

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 Muffasil P.S. Case No. 242 of 2023 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, Begusarai.

(Sunil Kumar Panwar, J)

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