

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53090 of 2022

Arising Out of PS. Case No.-168 Year-2022 Thana- MALSALAMI District- Patna

Sumit Kumar @ Bauna Son Of Sanjay Prasad R/O Bhaiani Tola, P.S.-
Malsalami, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar,Adv.

For the Opposite Party/s : Mr.Md. Mushtaque Alam,APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 07-02-2023 Heard the learned counsel for the
petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Special Case No.54 of 2022 arising out of Malsalami P.S. Case No.168 of 2022, registered for the offences punishable under Sections 399, 402, 412 of the Indian Penal Code and Sections 8, 20(b)(ii)(B) of the N.D.P.S. Act, 1985 read with Sections 25 (1-b)a, 26, 35 of the Arms Act.

The allegation is that while the informant along with other police personnel were on patrolling duty, he had received a secret information that some criminals had gathered with arms and ammunition near pond of Mathnital and



were planning to commit some crime, thereafter, the police force had reached at the alleged place of occurrence on the alleged date and time and had apprehended the co-accused persons including the petitioner herein, whereupon a search was made and as far as the petitioner is concerned, four live cartridges & mobile phones were recovered.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, and he is languishing in custody since 23.03.2022.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the period of incarceration of petitioner herein, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner



is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned District & Sessions Judge, Patna in connection with Special Case No.54 of 2022, arising out of Malsalami P.S. Case No.168 of 2022.

(Mohit Kumar Shah, J)

kanchan/sonal-

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

