

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54301 of 2023

Arising Out of PS. Case No.-863 Year-2022 Thana- BIHAR District- Nalanda

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DINESH KUMAR SON OF BIRJA YADAV VILLAGE MALATHI, PS-
MAKHDUMPUR, DIST- JEHANABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 55213 of 2023

Arising Out of PS. Case No.-863 Year-2022 Thana- BIHAR District- Nalanda

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PINTU KEWAT SON OF GANORI KEWAT RESIDENT OF VILLAGE-
MARSUA, PS- MAKHDUMPUR, DISTT- JEHANABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 54301 of 2023)

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Mr.Raj Kishor Singh

(In CRIMINAL MISCELLANEOUS No. 55213 of 2023)

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Mr.Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-09-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have filed the instant application for
grant of regular bail in a case registered for the offences
punishable under Sections 399, 402, 414, 420 of the Indian
Penal Code read with Sections 25 (1-B), 26, 35 of the Arms Act.



As per prosecution case, on getting secret information about the planning to commit road robbery and dacoity by some miscreants, the police party reached near the Nakatpura Bypass on Teenmuhani more and saw that a white colour Bolero Vehicle was coming from northern side to bypass road. On seeing the police party the driver of the said vehicle tried to flee away but the said vehicle was intercepted by the police and six accused persons including these petitioners were apprehended. On search of the said vehicle, one loaded country made katta after unload one live cartridge and also four live cartridges were recovered from under the seat of vehicle.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and have committed no offence. They have falsely been implicated in the present case due to high handedness of police. Nothing incriminating article or weapon has been recovered from the conscious possession of the petitioners except mobiles and the said mobiles belong to them. The firearms and ammunitions have been recovered from under the seat of vehicle and the petitioners are neither the owner nor driver of the alleged vehicle. It is also submitted that petitioners are languishing in judicial custody since 12.11.2022.

Learned APP appearing for the State has vehemently



opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Bihar P.S. Case No.863 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Biharsharif, Nalanda.

(Sunil Kumar Panwar, J)

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