

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54634 of 2022

Arising Out of PS. Case No.-152 Year-2022 Thana- MADHUBANI TOWN District-
Madhubani

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Aman Raj Son Of Bindeshwari Sharan Sah Resident Of Village - Babusaheb
Chowk Ward No.6, P.S.- Madhubani, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajanan Mishra
For the Opposite Party/s : Mr.Syed Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-01-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 399, 402 of the

Indian Penal Code and Section 25(1-b)a, 26, 35 of Arms

Act.

The allegation against the petitioner and other

co-accused persons is to prepare for dacoity and while

preparing so, one country made pistol was also

recovered.



It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. It is also submitted that petitioner is languishing in judicial custody since 03.05.2022. It is further submitted that no any incriminating article recovered from the conscious possession of the petitioner and there is no independent witness of the alleged seizure. No one has been alleged to have been hurt or wrongfully restraint by the petitioner. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Moreover, similarly situated co-accused persons have been granted bail vide order dated 4.11.2022 & 18.11.2022 passed in Cr. Misc No. 39937 of 2022 and 44107 of 2022 by the co-ordinate Bench of this Court.

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, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Town P.S. Case No. 152 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Madhubani.

(Sunil Kumar Panwar, J)

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