

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59014 of 2023

Arising Out of PS. Case No.-405 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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Dhananjay Kumar, S/O- Ramadhar Sahani, village- Barharwa Ps- Muffasil
Motihari Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kundan Rathore@ Kundan Kumar, Advocate
For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 08-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Muffasil Motihari P.S. Case No.405/2023, lodged on 03.06.2023
under Sections 399, 402 of the Indian Penal Code and Sections
25(1-B)a/26/35 of the Arms Act.

3. As per the prosecution case, the FIR has been
lodged against five named accused persons including the
petitioner on recovery of one pistol and a live cartridge.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Nothing
has been recovered from the conscious physical possession of
the petitioner. The petitioner is in custody since 04.06.2023 and



is accused in three more criminal cases.

5. Learned counsel for the State opposes the prayer for bail and submits that the antecedent of the petitioner is not clean.

6. In the present facts and circumstances, I am not inclined to grant regular bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner in connection with Muffasil Motihari P.S. Case No. 405/2023, pending before the learned CJM, Motihari, is hereby rejected.

8. However, the petitioner would be at liberty to renew his prayer for bail after framing of charge.

(Dr. Anshuman, J)

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