

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64061 of 2023

Arising Out of PS. Case No.-123 Year-2023 Thana- VAISHALI District- Vaishali

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Jitan Kumar @ Jitan Kumar Sahni S/O- Late Chandeshwar Ray @ Late Chandeshwar Sahni R/O- Village- Shyampur Hasi Kewal, P.S.- Bhagwanpur, Dist.- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rina Sinha

For the Opposite Party/s : Mr.Madhura Nand Jha

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-10-2023 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, 414 of the Indian Penal Code and Section 25(1-b)a/26/35 of the Arms Act.

As per allegation in the FIR, the police upon informant about some miscreants planning to commit crime, reached the place where the old Mahindra Magic vehicle was parked, apprehended the accused persons including the petitioner and found knife, iron rod and lock cutter etc.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case due to high handedness



of police. The arms and ammunition were recovered from the other co-accused Chandan Kumar. As alleged, one steel knife was recovered from the petitioner which is not come in the purview of Arms Act and seized vehicle also does not belong to the petitioner. Similarly situated other co-accused namely, Rahul Kumar has already been enlarged on bail by another coordinate Bench of this Court vide order dated 21.08.2023 passed in Cr. Misc. No. 53078 of 2023. It is also submitted that petitioner is languishing in judicial custody since 27.03.2023.

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 petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Vaishali (Belsar O.P.) P.S. Case No.123 of 2023 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., Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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