

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57270 of 2022

Arising Out of PS. Case No.-133 Year-2022 Thana- SALIMPUR District- Patna

PAPPU KUMAR Son of Sanjay Prasad Singh Resident of Village - Chitrauli,
P.S.- Goraul, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-01-2023 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks regular bail in connection with Salimpur PS case no. 133 of 2022 instituted for the offences punishable under Sections 399, 402, 412 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of Arms Act.

The prosecution story, in brief, is that the police is stated to have received secret information that 5-6 miscreants were planning to commit some crime, whereafter the police force had initiated search and had apprehended some miscreants including the petitioner herein. As far as the petitioner is concerned, a sum of Rs. 1,97,600/- is stated to have been recovered.



The learned counsel for the petitioner submits that the petitioner is innocent, has been falsely implicated in the present case, he is having a clean antecedent and is languishing in custody since 17.07.2022. The learned counsel for the petitioner has further submitted that the cash amount recovered from the petitioner belongs to the petitioner and no allegation has been levelled regarding him of having committed any offence, hence, the petitioner is not having any complicity in the matter. It is also submitted that similarly situated co-accused person has already been granted bail by this Court vide order dated 06.01.2023, passed in Cr. Misc. no. 58075 of 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 parties and taking into account the materials on record as also considering the fact that there is no whisper of any theft having been committed by the petitioner in the FIR apart from the fact that the petitioner is languishing in custody since 17.07.2022, I deem it fit and appropriate to admit the petitioner to the privilege of bail.



Accordingly, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Judicial Magistrate 1st class, Barh, Patna in connection with Salimpur PS case no. 133 of 2022.

(Mohit Kumar Shah, J)

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