

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60954 of 2023

Arising Out of PS. Case No.-291 Year-2023 Thana- SONEPUR District- Saran

Abhishek Kumar Son Of Bhagwan Das Resident Of Village- Harlchanapur,
Sukki, Ps- Patepur, Distt- Vaishali, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Kaushlendra

For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 399, 402, 120(B) and 34 of the Indian Penal Code and Sections 25(1-b)a 26(II) and 35 of Arms Act.

3. As per the prosecution story, on secret information that accused persons have assembled to commit crime, the police reached and succeeded in apprehending three accused persons including this petitioner and from the possession of this petitioner, one country made pistol along with five live cartridges has been recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case due to highhandedness of the police. The petitioner has no concern with the alleged recovery rather it was planted one. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused persons have already been granted bail by the co-ordinate Bench of this Court vide order dated 29.08.2023 in Cr. Misc. No. 56379 of 2023 and order dated. 29.08.2023 in Cr. Misc No. 56659 of 2023. Moreover, the petitioner is languishing in judicial custody since 26.04.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sonpur P.S. Case No. 291 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra.

(Sunil Kumar Panwar, J)

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