

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66172 of 2023**

Arising Out of PS. Case No.-46 Year-2021 Thana- KHUTAUNA District- Madhubani

ANIL KUMAR MUKHIYA @ ANIL MUKHIYA son of Munni Lal Mukhiya
Resident of Village- Sardahi PS- Alauli Dist.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Kumar, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 16-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Khutauna P.S. Case no.46 of 2021 registered under sections 399 and 402 of the Indian Penal Code and section 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, it is stated by the informant that on receiving secret information of the accused persons having been seen roaming around, a raid was conducted and co-accused Deo Kumar Mandal was arrested. On search, incriminating articles including a loaded country made pistol was recovered from his possession. It is further stated that he named four other accused persons including the petitioner herein who were in regular contact and in conspiracy with him



were going to give effect to an occurrence, but were caught.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from the petitioner's possession. He is in custody since 3.11.2021 and chargesheet has been submitted in the case.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R. against this petitioner, grant of bail to co-accused Deo Kumar Mandal vide order at Annexure-2 to this petition together with the petitioner having remained in custody for about two years since 3.11.2021, the Court directs the petitioner to be enlarged on bail in connection with Khutauna P.S. Case no.46 of 2021 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 Additional Chief Judicial Magistrate-I, Jhanjharpur, District Madhubani.

(Partha Sarthy, J)

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