

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63001 of 2023

Arising Out of PS. Case No.-311 Year-2023 Thana- JOGAPATTI District- West Champaran

Nanhak Kumar @ Vikash Kumar Son Of Late Sudama Yadav Resident Of
Village Nawgawa, Ps- Jogpatti, Dist- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sagar Kumar

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-10-2023 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 413, 412, 414, 420, 467, 468, 471 and 34 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. Prosecution case relates to theft of motorcycle and goat by the petitioner along with other co-accused person. After that police searched the house of the petitioner and recovered, one knife, goat and one ranger bicycle. It is further alleged that from the possession of co-accused, one country made pistol along with cartridges and motorcycle were 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. It is further submitted that nothing incriminating article /or any weapon has been recovered from the conscious possession of the petitioner. A statement has been made in para- 3 of this petition that the petitioner has got no criminal antecedent. This case is triable by the court of learned Judicial Magistrate. Moreover, the petitioner is languishing in judicial custody since 12.07.2023.

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 Jogpatti P.S. Case No. 311 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, West Champaran at Bettiah.

(Sunil Kumar Panwar, J)

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