

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62661 of 2023

Arising Out of PS. Case No.-147 Year-2023 Thana- MOTIPUR District- Muzaffarpur

NISHANT KUMAR @ CHINKI SON OF SRI GAJADHAR PRASAD
YADAV RESIDENT OF VILLAGE- BARJI, PS- MOTIPUR, DISTT-
MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Prakash Verma

For the Opposite Party/s : Mr.Umanath Mishra

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, 414 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of Arms Act.

3. The prosecution story, in brief, is that the police party reached at Village Kodarkatta near N.H. 28 after getting secret information then the accused persons tried to flee away but some of them including the petitioner were arrested. Upon search, one country made pistol along with a live cartridge and 3,000/- cash was 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. The petitioner has no concerned with the alleged arms seized by the police or with the co-accused persons. The alleged seized cash which were recovered from possession of the petitioner, was not identified properly. It is further submitted that the petitioner is languishing in judicial custody since 18.5.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner has got nine criminal antecedents.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Motipur P.S. Case No. 147 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 A.C.J.M. 2nd (West), Muzaffarpur.

(Sunil Kumar Panwar, J)

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