

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66808 of 2023

Arising Out of PS. Case No.-135 Year-2023 Thana- BIHIA District- Bhojpur

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KANHAIYA KUMAR SON OF OSIYAR PASWAN RESIDENT OF
VILLAGE - GAURA, P.S. - BIHIYA (BAHORANPUR O.P.), DISTRICT -
BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Malti Kumari, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Bihiya P.S. Case no.135 of 2023 registered under sections 399 and 402 of the Indian Penal Code and sections 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 information having been received about the accused persons having gathered and planning to give effect to an occurrence, a raid was conducted and on search various incriminating articles were recovered as stated in the F.I.R. From the possession of the petitioner a country made pistol and two live cartridges were recovered.

4. Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the case. No incriminating article has been recovered from his possession. He is in custody since 31.3.2023 and charge-sheet 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 allegations in the F.I.R, the petitioner being in custody for more than 6 months since 31.3.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Bihiya P.S. Case no.135 of 2023 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-V, Ara at Bhojpur.

(Partha Sarthy, J)

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