

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63334 of 2023

Arising Out of PS. Case No.-315 Year-2023 Thana- GARKHA District- Saran

Sujit Kumar @ Sujeet Kumar, Son of Shri Mukhlal Mahato, Resident of Village - 3, Mithepur, Garkha, Police Station - Garkha, District - Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-10-2023 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in a case instituted for the offences 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 allegation, the police party acting upon a secret information apprehended three accused persons while two co-accused persons managed to flee away. It is further alleged that one loaded country made pistol, one live cartridge and a knife were recovered.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.06.2023. There is no allegation of tampering of witnesses alleged against the



petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. It is alleged that one loaded country made pistol and one live cartridge are said to have been recovered. There is no compliance of Section 100 of Cr.P.C.

5. On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Garkha P.S. Case No. 315 of 2023.

(Sudhir Singh, J)

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