

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72565 of 2023

Arising Out of PS. Case No.-405 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

NAVIN KUMAR Son of Umesh Singh R/o vill - Sihuliya, P.S. - Motihari
Muffasil, Distt. - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar
For the Opposite Party/s : Mr.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 399, 402 of the Indian Penal Code and sections 25(1-b)a, 26 and 35 of the Arms Act.

3. Prosecution case relates to gathering of antisocial elements for hatching a conspiracy. Acting on a tip off, police party proceeded towards the place of occurrence and apprehended five accused persons including the petitioner who disclosed that they are making a plan to commit dacoity. On search, one country made pistol was recovered from possession of co-accused Dhananjay Kumar.



4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. No incriminating article has been recovered from possession of the petitioner. Save and except suspicion, no consistent material has come during investigation to show the involvement of the petitioner in the present case. Petitioner is languishing in judicial custody since 4.6.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM-, East Champaran, Motihari in connection with Motihari Muffasil PS Case No. 405 of 2023.

(Sunil Kumar Panwar, J)

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