

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69124 of 2023

Arising Out of PS. Case No.-62 Year-2023 Thana- BITHAN District- Samastipur

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Bambam Kumar S/O Vinod Mahto @ Vindiya Mahto @ Binod Kumar
Village- Telni, Ps. Bithan, Dist. Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Binod Kumar Sinha
		Mr. Shishir Kumar Shishir
For the State	:	Mr.Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-12-2023 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 414 of the Indian Penal Code and sections 25(1-b)a, 26 and 35 of the Arms Act.

3. Prosecution case relates to recovery of one loaded country made pistol, one mobile phone and theft motorcycle and two accused persons including the petitioner were arrested on spot.

4. It is submitted by learned counsel for the petitioner that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Petitioner has no concern with the alleged arms which were seized by the police. So far



recovery of motorcycle is concerned upon which petitioner and co-accused were riding, petitioner has taken lift from co-accused Shravan Kumar for going to his home. The seized mobile belongs to the petitioner. This case is triable by the Court of learned Judicial Magistrate. Moreover the co-accused Shravan Kumar has already been granted bail by this Bench vide order dated 10.10.2023 passed in Cr. Misc. No. 63253 of 2023. Petitioner is languishing in judicial custody since 2.6.2023.

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 Judicial Magistrate 1st Class, Rosera, Samastipur in connection with Bithan P.S. Case No. 62 of 2023.

(Sunil Kumar Panwar, J)

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