

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74041 of 2023

Arising Out of PS. Case No.-165 Year-2022 Thana- BIRAUL District- Darbhanga

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KHURSHID ALAM S/O ABDUL KADIR R/O VILLAGE- BAKARI, P.S-
KHODABANDPUR, DISTT.- BEGUSARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 29-11-2023 Heard the learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks regular bail in a case registered for the offence under Sections 399, 402, 400 of the Indian Penal Code and Section 25(1-B)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, the petitioner along with others has been caught while planning dacoity and a loaded country made pistol with two live cartridges has been recovered from the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is in custody since 16.05.2022 he is quite innocent and has not committed any offence.

5. Learned A.P.P. has vehemently opposed the



prayer for bail.

6. Considering the aforesaid facts and the period of custody, this application for regular bail is allowed.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge, Benipur, Darbhanga/concerned Court below in connection with Biraul P.S. Case No. 165 of 2022 subject to condition that:-

7(i) The petitioner will mark his attendance at the *Khodabandpur* Police Station on the first Sunday of each month. Any default in appearance at the Police Station would result in cancellation of bail bond of the petitioner.

(Sandeep Kumar, J)

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