

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69136 of 2022

Arising Out of PS. Case No.-323 Year-2022 Thana- GARDANIBAG District- Patna

ADITYA KUMAR @ KALLU S/O- Raj Kishore Chaudhary, Resident of
Village- Jahidpur, P.S.- Punpun, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudish Kumar, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 17-03-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks regular bail in connection with Gardanibagh P.S. Case No. 323 of 2022, registered for the offences punishable under Sections 399, 402, 414 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

As per the prosecution, the police personnel on secret information raided the alleged place and apprehended this petitioner along with co-accused persons and from the possession of other co-accused some incriminating articles were



recovered.

The main submissions advanced by petitioner's counsel are that as per prosecution's allegation seven persons were apprehended and one managed to escape when the police raided the alleged place and as per the allegation, all the accused persons including the petitioner had gathered at that place to make preparation to commit *Dacoity* but from the possession of this petitioner only one mobile phone was recovered as he was bonafidely present with other co-accused persons at the alleged place and he has been languishing in jail since 07.06.2022. Further submission is that there was no case against the petitioner before the institution of the FIR of the present matter and after the lodging of the FIR of the instant matter he was remanded in other case and the investigation has been completed against the petitioner.

Learned APP appearing for the State has opposed the prayer for bail.

In view of the facts, as stated above, the petitioner deserves to the privilege of bail. Accordingly, let the petitioner named-above be enlarged 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 concerned Court in connection



with Gardanibagh P.S. Case No. 323 of 2022.

(Shailendra Singh, J.)

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