

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69054 of 2022

Arising Out of PS. Case No.-479 Year-2022 Thana- FATEHPUR District- Gaya

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Rohit Kumar S/O Pramod Prasad R/O Village- Nemchak, P.S- Kashichak,
District- Nawada (Bihar). At Present Resident Of New Colony Mahadev
Asthan, Shekhpora, P.S- Shekhpora, District- Shekhpora (Bihar)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Tiwary

For the Opposite Party/s : Mr.Gulnar Begum

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 414, 120(B) of the

Indian Penal Code and Section 25(1-b)a/26/35 of Arms

Act.

It is a case of recovery of one automatic foreign

made pistol, 5 live cartridges and a Pulsar motorcycle

without registration number, which is alleged to be

stolen, from the petitioner.



It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. It is further submitted that except the statement of co-accused Mritunjay Kumar, there is no cogent evidence against the petitioner. There is no any independent witness of the alleged seizure. Charge-sheet has already been submitted in the present case. It is further submitted that there is no any report regarding the said motorcycle that it is a stolen article. Moreover, the petitioner is languishing in judicial custody since 31.08.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on



bail in connection with Fatehpur P.S. Case No. 479 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. X, Gaya.

(Sunil Kumar Panwar, J)

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