

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75649 of 2023**

Arising Out of PS. Case No.-116 Year-2022 Thana- BELA District- Sitamarhi

PAPPU SAH son of Shailendra Sah Village- Ram Nagra Ps- Riga Dist-
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Adv.

For the Opposite Party/s : Mr. Umanath Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 13-12-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Bela P.S. Case No. 116 of 2022 dated 06.05.2022 registered for the offences punishable u/ss 399, 402, and 414 of the Indian Penal Code and u/s 25(1-b)a, 26 and 35 of the Arms Act and u/ss 8/ 20 (b)(ii)(c)/ 22 of the N.D.P.S. Act.

3. As per the prosecution case, four miscreants were arrested on the spot while they were making preparation to commit crime. Police recovered 2 Kg. Charas, fire arm, cartridges, motorcycles and mobiles from the accused persons.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The name of the petitioner was disclosed by the co-accused persons. Nothing



has been recovered from the possession of the petitioner rather the recovery has been made from the co-accused persons. It is further submitted that the petitioner has no concern with the alleged recovery hence, no case is made out against the petitioner. The petitioner has three criminal antecedent and he is on bail in the aforesaid cases as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Sitamarhi in connection with Bela P.S. Case No. 116 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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