

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75868 of 2023

Arising Out of PS. Case No.-77 Year-2022 Thana- AMARPUR District- Banka

Shiv Shakti Yadav @ Shakti Yadav S/O Late Shyam Sunder Yadav R/O
Village- Dhorichak, P.S- Amarpur, Dist.- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Anand

For the Opposite Party/s : Mr. Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 30-11-2023 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 399, 402 of the Indian Penal Code and sections 25 (1-b)a, 26 and 35 of the Arms Act.

3. Prosecution case relates to gathering of antisocial elements for hatching a conspiracy. Acting on a tip off, police party proceeded towards the place of occurrence and apprehended six accused persons who were there on four motorcycle and they disclosed that they are making a plan to commit loot. On search, one country made katta and three live bullet from possession of the petitioner



and from possession of other accused persons various contraband materials including the arms were recovered. They also disclosed that on earlier occasion they had committed dacoity on 31.1.2022 and 3.2.2023.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. The said recovery has been made from other accused persons and not from the possession of the petitioner. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 23.8.2022 passed in Cr. Misc. No. 27154 of 2022.

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 Additional Sessions Judge-6-cum-Special



Judge PCOSO, Banka in connection with Amarpur P.S.
Case No. 77 of 2022.

(Sunil Kumar Panwar, J)

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