

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75398 of 2022

Arising Out of PS. Case No.-179 Year-2021 Thana- PATLIPUTRA District- Patna

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KANHAIYA KUMAR @ KANHAIYA THAKUR @ KANHAI THAKUR @
KANHAI KUMAR @ KANHAYA THAKUR @ KANHAI S/o Surendra
Thakur R/o Village- Manikchowk, Dhanhara (Tola), P.S.- Runnisaidpur, Distt-
Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Maharaj, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-04-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Patliputra P.S. Case no. 179 of 2021 registered under sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, on raid being conducted, it is stated by the informant that while two persons managed to escape, two were caught and from whose possession arms and ammunitions as mentioned in the FIR were recovered. The accused persons who were caught disclosed the names of the two other accused who managed to escape which included the petitioner herein.

4. Learned counsel for the petitioner submits that



neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession. The cause of his false implication is his antecedents. He is in custody since 24.8.2022 and chargesheet has been submitted in the case.

5. Heard learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the FIR, the petitioner not having been arrested at the spot nor any incriminating article having been recovered from the petitioner's possession, petitioner being in custody for about 8 months since 24.8.2022 and chargesheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Patliputra P.S. Case no. 179 of 2021 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 Additional Chief Judicial Magistrate X, Patna.

(Partha Sarthy, J)

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