

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81101 of 2023

Arising Out of PS. Case No.-197 Year-2023 Thana- KADWA District- Katihar

ARJU KHAN Son of Sarfuddin Khan R/o vill - Haji Tola, P.S. - Dandkhora,
Distt. - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate Mr. Kumar Rajdeep, Advocate Mr. Md. Musowir, Advocate
For the Opposite Party/s :		Mr. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 22-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kadwa
P.S. case No. 197 of 2023 instituted for the offences under
Sections 461, 379, 413, 414, 411, 382 of the Indian Penal Code
and Sections 25(1-b)a, 26/35 of the Arms Act.

3. Prosecution allegation, in short, is that police on
some secret information that some criminals were committing
the offences of loot in the ATM, raiding the said place of
occurrence. Seeing the police party, all the accused persons tried
to flee away but two persons were apprehended, including this
petitioner. On search, one knife and mobile phone was
recovered from the possession of the petitioner.

4. It has been submitted on behalf of the petitioner that



the petitioner is in custody since 06.09.2023 and has no criminal antecedent. The petitioner has falsely been implicated in the present case merely on suspicion. Moreover, he was not arrested at the place of occurrence. No specific overt act is alleged against the petitioner. He further submitted that according to seizure list, only a mobile phone and a knife was recovered from the possession of the petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the nature of accusation as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kadwa P.S. case No. 197 of 2023.

(Rudra Prakash Mishra, J)

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