

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79558 of 2023

Arising Out of PS. Case No.-292 Year-2023 Thana- MANJHAGARH District- Gopalganj

BITTU KUMAR @ BITU KUMAR son of Kamlesh Prasad Village-
Karnpura @ Karanpura Ps- Manjhagarh Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Roy

For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 399, 402, 414 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of Arms Act and sections 8(c), 21(b) of the N.D.P.S. Act.

3. Allegation against the petitioner along with co-accused persons that while they were assembled and preparing for committing offence, the police party raided the place of occurrence and arrested them. On search, one live cartridges was recovered from the possession of the the petitioner and contraband materials along with motorcycle from other accused persons.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no concerned with the alleged recovery of arms and so far as recovery of motorcycle and contraband substance is concerned, the same were recovered from possession of other co-accused persons. The petitioner has got no criminal antecedent and he is languishing in judicial custody since 18.8.2023. Similarly situated co-accused Shamsh Parvej Alam was already enlarged on bail by this Court vide order dt. 1.11.2023 passed in Cr. Misc. No. 71259 of 2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Manjhagarh P.S. Case No. 292 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District & Sessions Judge, Gopalganj.

(Sunil Kumar Panwar, J)

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