

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11674 of 2024

Arising Out of PS. Case No.-219 Year-2023 Thana- CHACKMEHSI District- Samastipur

Abhishek Kumar, S/O Dinesh Ray, R/O Village-Loharkha, P.S.-Hattha OP,
District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Advocate
Mrs. Ruchi Mandal, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 28-02-2024 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with Chakmehsi P.S. Case No. 219 of 2023 dated 17.11.2023 registered for the offence(s) punishable under Section(s) 399, 402 of the Indian Penal Code and Sections 25(1-b)a/25(1-a)/26/35 of Arms Act.

3. The main submissions advanced by the learned counsel for the petitioner are that the alleged offences of sections 399 and 402 of IPC, under which the FIR has been registered, are not made out against this petitioner and the petitioner is a student of B.A. (Hons.) and presently, studying in Uma Pandey College at Pusa, Samastipur and as per allegation,



one 9 mm loaded pistol with two live cartridges is said to have been recovered from the possession of this petitioner, for which he has been sufficiently punished and he has got no criminal antecedent. Further submission is that the petitioner has been languishing in jail since 18.11.2023 and he is 21 years old.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. In the facts and circumstances of this case and considering the above submissions and mainly petitioner’s young age as well as his academic future, coupled with his fair and clean antecedent and completion of investigation against him, this court is inclined to accept his bail prayer. Accordingly, let the petitioner named-above be enlarged on bail in connection with Chakmehsi P.S. Case No. 219 of 2023 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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