

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12697 of 2024

Arising Out of PS. Case No.-402 Year-2023 Thana- GORAUL District- Vaishali

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Anshu Kumar S/O Raju Mahto R/O Village- Harpur Arara, Ps.- Goraul, In
The Dist. Of Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Ranjeet Kumar, Advocate
For the State : Ms. Rina Sinha, APP

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

ORAL ORDER

2 01-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Goraul
(Katahara O.P.) P.S. Case No. 402 of 2023 instituted for the
offence under Sections 399 & 402 of the Indian Penal Code and
Sections 25(1-B)a, 26 & 35 of the Arms Act.

3. As per prosecution case is short is that police got
secret information that some miscreants have assembled for
committing robbery at Raja Chowk canal road. On this
information, police raided the said place. Seeing the police
party, the accused persons tried to flee away but all of them
including this petitioner were apprehended by police and
recovery was made. It is further alleged that on search, one live



cartridge 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 23-09-2023. Petitioner is stated to be man of clean antecedent.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Nothing has been recovered from the conscious possession of the petitioner. There is no compliance of Section 100 of the Cr.P.C. Other co-accused have been allowed bail by a Co-ordinate Bench of this Court *vide* order dated 23-02-2024 & order dated 28-02-2024 passed in Cr. Misc. No. 11411 of 2024 & Cr. Misc. No. 12326 of 2024.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, clean antecedent of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. 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 Goraul



(Katahara O.P.) P.S. Case No. 402 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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