

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11629 of 2024**

Arising Out of PS. Case No.-620 Year-2023 Thana- SAUR BAZAR District- Saharsa

Avinash Kumar @ Avnish Kumar Son Of Suresh Prasad Yadav @ Suresh  
Yadav R/O-Rampur, Ward No. 17, P.S.-Sour Bazar Distt.-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr. Rita Verma, APP

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

ORAL ORDER

2      26-02-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Sour Bazar P.S. case No. 620 of 2023 instituted for the offences under Sections 413, 411, 420, 414/34 of the Indian Penal Code and 25(1-B)a, 26, 35 of the Arms Act.

3. Prosecution case, in short, is that police apprehended the two accused persons including this petitioner with a stolen motorcycle. It is further alleged that one loaded country-made pistol was recovered from the house of the co-accused Sujit Kumar Yadav.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case only on



the basis of suspicion. Learned counsel further submitted that nothing has been recovered from the conscious possession of the petitioner. Learned counsel next submitted that petitioner has no concern with the alleged recovery of arms as the same has been recovered from the house of co-accused Sujit Kumar. It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.10.2023 and has four criminal antecedents.

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 and 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 Sour Bazar P.S. case No. 620 of 2023.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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