

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14419 of 2024**

Arising Out of PS. Case No.-813 Year-2023 Thana- KHAJANCHI HAT District- Purnia

VIVEK KUMAR @ MAHI YADAV Son of Ashok Ray Resident of Village-
Sumera, P.S.-Kurhani, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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

ORAL ORDER

2 11-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sessions Trial No. 624 of 2023, arising out of K. Hat P.S. case No. 813 of 2023 instituted for the offences under Sections 399/402 of the Indian Penal Code and 25(1)(a)(1A)(1AA)(1-B)26, 29, 35 of the Arms Act .

3. Prosecution case, in short, is that on the basis of secret information that some miscreants were planning to commit dacoity, the police raided the place. Seeing the police, the accused persons tried to flee away but total eight persons



were apprehended. On search, various arms and ammunitions were recovered from the house of the co-accused Aniket Kumar Singh.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case merely on the basis of suspicion. Learned counsel further submitted that nothing has been recovered from the conscious possession of the petitioner. The recovery of arms has been made from the house of the co-accused Aniket Kumar Singh. Learned counsel further submitted that four co-accused persons have already been granted bail by the learned Chief Judicial Magistrate Court. It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.07.2023 and has three 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 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 Sessions Trial No.
624 of 2023, arising out of K. Hat P.S. case No. 813 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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