

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14019 of 2024

Arising Out of PS. Case No.-416 Year-2023 Thana- BOCHAHAN District- Muzaffarpur

Anil Kumar @ Anil Sahani Son of Dharmendra Sahni Resident of Village-
Sarwanichak, P.S.- Bochaha, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bindeshwar Sah

For the Opposite Party/s : Mr.Md. Mushtaque Alam

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

ORAL ORDER

2 07-03-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in Bochaha P.S. case
No. 416 of 2023 instituted for the offences under Sections
399, 402, 412, 414, 120B of the Indian Penal Code, 25(1-
b)a, 26, 35 of the Arms Act and Sections 20 and 22 of
N.D.P.S. Act.

3. Prosecution case, in short, is that on secret
information, police party reached the place of occurrence
and apprehended five accused persons and on search, one
loaded country made pistol and Rs. 500/- were recovered
from the possession of the petitioner.



4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No narcotic substance has been recovered from the possession of the petitioner. The petitioner has got no concern with the alleged occurrence. The petitioner is in custody since 30.07.2023 and has three criminal antecedents in which in two cases, he is on bail. There is no compliance of Section 100 of the Cr.P.C. Co-accused have been granted bail by Coordinate Benches of this Court vide order dated 10.01.2024 passed in Cr. Misc. No. 84734 of 2023, order dated 15.01.2024 passed in Cr. Misc. No. 85163 of 2023 and order dated 08.02.2024 passed in Cr. Misc. No. 4472 of 2024.

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, the period of custody undergone by the petitioner and the claim based on parity, 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 Bochaha P.S. case No. 416 of 2023.

(Rudra Prakash Mishra, J)

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