

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16408 of 2024

Arising Out of PS. Case No.-764 Year-2023 Thana- BARACHATTI District- Gaya

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Talkeshwar Bhogata @ Talkeswar Bhokta Son of Late Jitan Bhokta Resident
of Village- Naktaiya, P.S.- Barachatti, District-Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Rajendra Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 25(1-b)a, 26, 35 of
Arms Act.

It is a case of recovery of one country made
rifle, one country made carbine, two live cartridges and
two mobile phones from the house of co-accused
Jageshwar Bhogta. Petitioner and other co-accused
persons are alleged to be apprehended from the place of
seizure.



It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. The petitioner has no concern either with the alleged recovery or with the place of seizure. Nothing incriminating has been recovered from his conscious possession. Moreover, the petitioner is languishing in judicial custody since 12.08.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated co-accused persons, namely, Jageshwar Bhogra and Pappu Kumar Bhokta has been granted bail vide order dated 01.02.2024, passed in Cr. Misc. no. 3843 of 2024 by this Court.

In contra, learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody,



this Court is inclined to enlarge the petitioner on bail.

The above named petitioner is directed to be enlarged on bail in connection with Barachatti P.S. Case No. 764 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate II, Sherghati, Gaya.

(Sunil Kumar Panwar, J)

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