

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18697 of 2024**

Arising Out of PS. Case No.-441 Year-2023 Thana- BEGUSARAI TOWN District- Begusarai

Prabhat Kumar S/o Upendra Sharma R/o vill - Baghi, P.S. - Begusarai Town,
Distt. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sabal Kumar Jha, Advocate

For the Opposite Party/s : Mr.Prem Kumar Jha, APP

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

ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Town
P.S. case No. 441 of 2023 instituted for the offences under
Sections 399, 402 of the Indian Penal Code and 25(1-b)a, 26,
35 of the Arms Act.

3. Prosecution case, in short, is that, police, on the
basis of secret information, apprehended two accused persons
whereas four accused persons including this petitioner fled
away. On interrogation, they disclosed that they were planning
to commit dacoity. On search, one country-made pistol was
recovered from co-accused Banti Kumar @ Kundan.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case and he was not apprehended on the spot. The name of the petitioner transpired in this case on the basis of disclosure made by the co-accused persons who were apprehended on the spot. Nothing has been recovered from the conscious possession of the petitioner. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.12.2023 and has two 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 Town P.S. case No. 441 of 2023.

(Rudra Prakash Mishra, J)

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