

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18870 of 2024

Arising Out of PS. Case No.-294 Year-2023 Thana- KALYANPUR District- East Champaran

SACHIN KUSHWAHA Son of Anil Kushwaha @ Anil Kumar Kushwaha
Resident of Village-Bahuara, P.S.-Kalyanpur, District-East Champaran.
... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

For the Opposite Party/s : Mr.Awadhesh Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 15-04-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Kalayanpur P.S. Case No. 294 of 2023 dated 21.08.2023 registered for the offences punishable u/ss 399, 402, 467, 468, 471, 120B of the Indian Penal Code and Section 25(1-b)a/26/35 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have assembled for making preparation to commit crime. Five accused persons were apprehended with country made pistol, live cartridges and knife while five other accused persons succeeded in fleeing away from the place of occurrence during the police raid.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has sprung up in the confessional



statement of the apprehended co-accused person, Manish Rai. No incriminating article has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has one criminal antecedent in which he is on bail as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Motihari, East Champaran in connection with Kalayanpur P.S. Case No. 294 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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