

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23713 of 2024

Arising Out of PS. Case No.-373 Year-2023 Thana- CHIRAIYA District- East Champaran

1. CHANDAN KUMAR SON OF SIPAHI PAL RESIDENT OF VILLAGE - CHHAPWA, P.S. - SUGAULI, DISTRICT - EAST CHAMPARAN
2. PRADEEP KUMAR SON OF CHANDRIKA PASWAN RESIDENT OF VILLAGE - CHIRAIYA KOTHI, P.S. - CHIRAIYA, 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.Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 20-03-2024 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Chiraiya P.S. Case No. 373 of 2023 dated 05.08.2023 registered for the offences punishable u/ss 399, 400, 402, 414 of the Indian Penal Code and 25 (1-b) a, 26, 35 of the Arms Act and 8, 20(b), (ii)(c) of the Narcotic Drugs and Psychotropic Substance Act.

3. As per the prosecution case, the petitioners and the co-accused persons were apprehended by police when



they had assembled at the house of the co-accused, Amit Kumar, for making preparation to commit crime. One loaded country made pistol, Motorcycle, knife etc., were recovered from the possession of the apprehended co-accused persons and from the possession of the co-accused, Pritam Paswan, Charas weighing 1 kg and 400 Gram was recovered.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners. Similarly situated co-accused has already been granted regular bail this court *vide* order dated 18.10.2023 passed in Cr. Misc. No. 67740 of 2023. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 06.08.2023.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on



bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Motihari, East Champaran in connection with Chiraiya P.S. Case No. 373 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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