

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24927 of 2024

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

Banty Kumar @ Kundan @ Banti Singh Son of Parmanand Singh Resident of
Village - Baghi, P.S. - Begusarai Town (Lohiya Nagar O.P.), District -
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nakul Jamuar, Adv.

For the Opposite Party/s : Ms.Renu Kumari, APP

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

ORAL ORDER

2 03-04-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Begusarai Town P.S. Case No. 441 of 2023 instituted for

the offences under Sections 399, 402 of the Indian Penal

Code and Section 25(1-B)a, 26, 35 of the Arms Act.

3. As per prosecution case, in short, is that the

police, on the basis of secret information, apprehended two

accused persons including the petitioner whereas four

accused persons managed to flee away. On interrogation,

they disclosed that they were planning to commit *dacoity*. On

search, one unloaded country made pistol was recovered



from the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner and wrongly the seizure list has been created. Charge-sheet has been submitted in this case. The petitioner has four criminal antecedents as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 15.07.2023. Learned counsel for the petitioner further submits that the co-accused Prabhat Kumar has been granted bail by this Court vide order dated 14.03.2024 passed in Cr. Misc. No. 18697 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the



case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Begusarai Town P.S. Case No. 441 of 2023.

(Rudra Prakash Mishra, J)

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