

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26240 of 2024**

Arising Out of PS. Case No.-261 Year-2023 Thana- BHAGWANPUR District- Vaishali

Chandan Kumar S/o Surendra Sah R/o Village- Paroo, P.S.- Paroo, District-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjan Parihar, Advocate
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

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

ORAL ORDER

3 03-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bhagwanpur P.S. case No. 261 of 2023 instituted for the
offences under Sections 414, 399, 402 of the Indian Penal Code
and Sections 25(1-b)a, 26, 35 of the Arms Act.

3. As per the F.I.R., police, on the basis of secret
information that some accused persons were planning to commit
robbery, raided the place of occurrence and apprehended three
persons whereas some of the accused persons managed to flee



away. It is further alleged that various arms and ammunitions were recovered from the accused persons.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner was not apprehended on the spot. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the recovered arms and ammunitions. Learned counsel further submitted that co-accused Vikas Kumar, who was apprehended on the spot has already been granted bail by this Court vide order dated 01.03.2024 passed in Cr. Misc. No. 12825 of 2024. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 13.12.2023 and has three 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, claim based on parity 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 Bhagwanpur P.S. case No. 261 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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