

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33796 of 2024

Arising Out of PS. Case No.-14 Year-2024 Thana- SARAI District- Vaishali

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Murlidhar Kumar @ Munna son of Late Anil Rai Vill- Chakmajahid Ps-
Mahua Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinay Ranjan, Advocate

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

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

ORAL ORDER

2 14-05-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sarai P.S. Case No. 14/2024 dated 24.01.2024 registered for the offence punishable u/ss 399 and 402 of the Indian Penal Code, Sections 25(1-b)a, 26 and 35 of the Arms Act and Sections 8, 20(b)(ii)(c) of the N.D.P.S. Act.

3. As per the prosecution case, when the informant along with other personnel reached the mango orchard, on seeing the police vehicle, nine persons started to flee away, out of whom seven persons were apprehended and two persons succeeded to flee away. The apprehended accused persons



disclosed their names as Rishu Kumar Singh, Badal Kumar, Abhishek Raj@Goba@Bojha, Ankit Pathak, Golu Kumar, Murlidhar Kumar and Ankit Kumar. It is further alleged that on search, one country made pistol along with live cartridge was recovered from the possession of the accused Badal Kumar. One country-made pistol along with one live cartridge was recovered from the possession of the accused Golu Kumar. Three smart phones were recovered from the possession of Murlidhar Kumar @ Munna Kumar. Two mobile phones one of Nokia and another of Vivo company were recovered from the possession of Ankit Pathak and one smart phone was recovered from the possession of Ankit Kumar. It is further alleged that in course of searching body of accused Rishu Kumar, 1 kg 50 grams Narcotics substance like as AFIM/CHARAS was recovered and 250 grams Narcotics substance like Charas and a mobile phone were recovered from the possession of Abhishek Ray @ Bojha. The apprehended accused Rishu Kumar disclosed the name of the persons who fled away as Ghanshyam Thakur and Prince Kumar.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Learned counsel has submitted that only mobile



phones were recovered from the possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 25.01.2024.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to 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 learned Court concerned, Vaishali at Hajipur in connection with Sarai P.S. Case No. 14/2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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