

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32089 of 2024

Arising Out of PS. Case No.-402 Year-2023 Thana- GORAUL District- Vaishali

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Amit Kumar S/o Vijay Rai R/o Village Sondho Dullah, P.S. Goraul, Dist.
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Singh

For the Opposite Party/s : Mr.Anita Kumari

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

ORAL ORDER

2 26-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. As per prosecution case, there has been recovery of
two live cartridges from the possession of the petitioner.

4. Learned counsel for the petitioners submitted that
the petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this case. The petitioner has
no concern with the alleged cartridges, which were seized by the
police. Only on the basis of suspicion, petitioner has been



implicated in the present case by the police due to his criminal antecedent. The provision of Section 100 of the Cr.P.C. has not been followed in this case while preparing the seizure list. He further submitted that the other co-accused has already been granted bail by this Court vide order dated 28.02.2024 passed in Cr. Misc. No. 12326 of 2024. The petitioner is in custody since 24.09.2023 and he has one criminal antecedent.

5. Learned APP 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, the period of custody undergone by the petitioner and the claim based on parity, 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 Goraul P.S. Case No. 402 of 2023.

(Rudra Prakash Mishra, J)

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