

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34726 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- GAYA MUFASIL District- Gaya

Chiku Pandey @ Chinku Pandey @ Vishal S/o Manoj Dubey R/O VILLAGE
MANPUR GANDHI NAGAR PS MUFFASIL DIST GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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

ORAL ORDER

2 06-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Gaya Mufassil P.s. Case No. 15 of 2024 instituted for the offences under Sections 399 and 402 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. Prosecution allegation, in short, is that on information when police reached to a place where some miscreants were planning, it arrested three persons namely Bhayankar Paswan, Nandu Paswan and Vishal @ Chinku Pandey and from their possession three mobile, country made pistol and three live cartridges were recovered.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Country made pistol and three live cartridges were recovered from the other co-accused Nandu Paswan and the petitioner has no concern with Nandu Paswan. The petitioner is in custody since 09.01.2024 and has antecedent of twelve cases.

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 and 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 **after framing of charge if not already framed**, 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 Gaya Mufassil P.S. Case No. 15 of 2024.

(Rudra Prakash Mishra, J)

Prakash/-

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