

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48759 of 2024

Arising Out of PS. Case No.-577 Year-2023 Thana- MAKHDUMPUR District- Jehanabad

Jai Prakash @ Kaila Son Of Sri Lalan Paswan Resident Of Village - Kohra,
P.S. - Makhdumpur And District - Jehanabad

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harshit Griyaghey, Advocate
For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

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

ORAL ORDER

3 19-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in Makhdumpur P.S. case No. 577 of 2023 registered under Sections 399, 402, 414, 420, 467, 468 of the of the Indian Penal Code and Sections 25(1-B)A, 26 and 35 of the Arms Act.

3. The prosecution allegation, in short, is that on secret information, the police raided the house of co-accused persons and on search one country made pistol, one live cartridge, two mobile phones and several currency notes were recovered from the co-accused persons.

4. It has been submitted on behalf of the petitioner that the petitioner is innocent and has falsely been implicated in this



case. The petitioner has got one criminal antecedent. The name of the petitioner has transpired on the basis of confessional statement of co-accused namely Subodh Kumar which has no evidentiary value. Except for the confessional statement, there is no other substantive evidence to suggest the implication of the petitioner in the present case. No incriminating material has been recovered from the house of the petitioner. The petitioner was not present at the place of occurrence. The petitioner further undertakes that he will cooperate during the investigation. Co-accused has been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 27.02.2024 passed in Cr. Misc. No. 9954 of 2024 while other co-accused have been granted regular bail vide order dated 26.02.2024 passed in Cr. Misc. No. 11147 of 2024 and order dated 03.04.2024 passed in Cr. Misc. No. 15505 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. He submits that the petitioner is named in the F.I.R.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail



bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Makhdumpur P.S. case No. 577 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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