

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44996 of 2024

Arising Out of PS. Case No.-35 Year-2024 Thana- PAROO District- Muzaffarpur

Avinash Kumar Son of Tarkeshwar Giri R/O Vill.- Nawada, P.S.- Sahebganj,
Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Adv.
For the Opposite Party/s : Ms. Renu Kumari, APP

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

ORAL ORDER

2 16-07-2024 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 Paroo P.S Case No. 35 of 2024 dated 04.02.2024 registered for the offence punishable under Section 399, 400, 401, 402, 413, 414 read with Section 34 of the Indian Penal Code and Section 25(1-b)a, 26 and 35 of Arms Act as well as 8C, 21b of NDPS Act.

3. As per the prosecution case, on being searched, one country-made pistol made of U.S.A., two live cartridges, mobile phone, 20 pouches of smack weighing 8.67 grams, gold like ornaments, three pass-books of Central Bank of India, one empty magazine and Rs. 5,000/- in cash were recovered from the



possession of the petitioner. When he and the co-accused persons were making preparation to commit crime.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. It is also submitted that co-accused person, Abhishek Kumar has been granted bail vide order dated 26.06.2024 in Cr. Misc. No. 42868 of 2024. The petitioner is a person with clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 05.02.2024.

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, Muzaffarpur in connection with Paroo P.S. Case No. 35 of 2024, with the condition :-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable



cause, the bail bond of the petitioner is liable to be cancelled.

(ii). If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bonds.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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