

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47287 of 2024

Arising Out of PS. Case No.-105 Year-2023 Thana- BIDUPUR District- Vaishali

1. Vikash Kumar Son of Anand Kumar Ram @ Jagdeo Ram R/O Vill.- Chaksikandar Mansurpur, P.S.- Raja Pakar, Dist.- Vaishali
2. Vivek Kumar Son of Anand Kumar Ram R/O Vill.- Chaksikandar Mansurpur, P.S.- Raja Pakar, Dist.- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

...

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Kumar Sinha

For the Opposite Party/s : Mr. Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Bidupur P.S. Case No. 105 of 2023 registered for the offence under Sections 399, 402, 413, 414 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of the Arms Act.

3. Prosecution case relates to recovery of illegal country made pistols along with motorcycle from possession of apprehended co-accused Sonu Kumar and Mithilesh Kumar. This petitioner is said to have been fled away from the place of occurrence.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They



have falsely been implicated in this case on the disclosure of apprehended co-accused persons. Neither the petitioners have been apprehended on spot nor any incriminating article has been recovered from their conscious possession. Moreover, other co-accused Sonu Kumar has already been enlarged on regular bail by this Court vide order dated 29.11.2023 passed in Cr. Misc. No. 56556 of 2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Bidupur P.S. Case No. 105 of 2023, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, First Class, Vaishali at Hajipur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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