

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45241 of 2024

Arising Out of PS. Case No.-473 Year-2023 Thana- RAXAUL District- East Champaran

Shashank Pandey S/O Late Nityanand Pandey R/O Village-Chiutaha,P.S.-
Mainatad, Distt-West champaran At present,R/O Mohalla-Adarsh Nagar,P.S.-
Gorakhpur Cant, Distt-Gorakhpur,UP

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Madhura Nand Jha

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 03-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections-413, 414/34 of the Indian
Penal Code and Section-25(1-b)a/26/35 of the Arms Act.

3. It is alleged that on the tip off, the police along with
police personnel reached at the place of occurrence and
apprehended two persons including the petitioner. On search,
from possession of the petitioner riding on motorcycle, a loaded
country-made pistol, two live cartridges and two Nepali
currency of Rs. 1,000/- and one currency Nepali note of Rs.
200/- was recovered.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in the present case. He is under incarceration for more than ten months with allegation for recovery of a country-made pistol and two live cartridges. The petitioner is in custody since 23-10-2023.

5. Learned APP has opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances, specially, the period of incarceration i.e. more than ten months, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Raxaul at Motihari in connection with Raxaul P.S. Case No. 473 of 2023 with condition that the petitioner shall cooperate with the trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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