

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50516 of 2024

Arising Out of PS. Case No.-124 Year-2024 Thana- KESARIA District- East Champaran

Guddu Mali Son Of Late Kamlesh Mali R/O- Village- Kesariya Kadam
Chauk, P.S.- Kesariya, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

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

ORAL ORDER

2 05-08-2024 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 Kesariya P.S. Case No. 124/2024 dated 23.04.2024 registered for the offences punishable u/s 399, 402, 413, 414 read with 34 of the Indian Penal Code and Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused persons were apprehended when they were gathered for making preparation to commit crime. On search, a motorcycle and a mobile phone were recovered from the possession of the petitioner. Further, a mobile was recovered from the possession of the co-accused, Ajay Kumar, a mobile



phone and a motorcycle without number plate were recovered from the possession of the co-accused Laxman Kumar, a pistol and two live cartridges were recovered from the possession of the co-accused Akhilesh Kumar and a motorcycle and a mobile phone were recovered from the possession of the co-accused Lal Mohan Kumar.

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. The other co-accused person has already been granted bail by this court *vide* order dated 30.07.2024 passed in Cr. Misc. No. 47866/2024. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.04.2024.

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, Motihari, East Champaran in connection with



Kesariya P.S. Case No. 124/2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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