

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.49412 of 2024**

Arising Out of PS. Case No.-66 Year-2024 Thana- JANTA BAZAR District- Saran

Setu Kumar @ Kundan Kumar @ Setu Pandey S/o Bhulan Pandey @ Jhulan Pandey R/o vill - Sareyan, P.S. - Maharaganj, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Alka Panday, Advocate  
For the Opposite Party/s : Mr.Kalyan Shankar, APP

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

ORAL ORDER

2      24-07-2024                      Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Janta Bazar P.S. Case No. 66 of 2024 instituted for the offences under Sections 399, 402, 414/34 of the Indian Penal Code and 25(1-b)a, 26, 35 of the Arms Act.

3. Prosecution case, in short, is that police, on the basis of secret information that some miscreants were planning to commit dacoity, raided the place of occurrence and arrested the accused persons on the basis of disclosure made by the arrested accused persons, raided the house of this petitioner and arrested him.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Petitioner was not arrested on the spot rather his name was disclosed by the accused persons who were apprehended on the spot. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that no any arms/ammunitions has been recovered from the conscious possession of this petitioner, rather the same has been recovered from the co-accused persons who were apprehended on the spot. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 23.04.2024 and has two criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, no recovery of any arms or ammunitions from the petitioner as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Janta Bazar P.S.



Case No. 66 of 2024.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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