

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49432 of 2024

Arising Out of PS. Case No.-63 Year-2024 Thana- DURGAWATI District- Kaimur (Bhabua)

Abhishek Kumar S/O Uday Prasad R/O Village- Darihat, P.S- Darihat, Distt.-
Rohtas At Sasaram.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 399 and 402 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per the allegation in the FIR, police arrested this petitioner along with other co-accused persons while they were planning to commit *dacoity* and on search from them, one country made pistol along with live cartridge was recovered from co-accused Vikash Yadav.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. No any incriminating arms



have been recovered from the conscious possession of the petitioner and also he has no concern with the same. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 18.06.2024.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Durgawati P.S. Case No. 63 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IX, Kaimur at Bhabua.

(Sunil Kumar Panwar, J)

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