

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54077 of 2024

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

Vikash Yadav Son Of Mangal Yadav Village- Dhanecha, Ps- Durgawati, Dist- Kaimur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Anupam

For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-08-2024 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, during night patrolling, police received a secret information about assembly of some anti-social persons beneath Over Bridge of N.H.-19, went to the place of occurrence and apprehended six accused persons including the petitioner and some of them successfully escaped. On search, onecountry made pistol, two live cartridge and mobile were recovered from possession of



the petitioner and from other co-accused person, one mobile phone and cash of Rs. 9,000/- were recovered.

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. Petitioner has no concern either with the seized articles or with other co-accused persons. Chargesheet has been framed in this case. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 20.7.2024 passed in Cr. Misc. No. 49432 of 2024. Moreover, he is languishing in judicial custody since 06.04.2024. Similarly situated co-accused Rohit Singh has already been granted bail, vide order dated 02.08.2024, passed in Cr. Misc. No. 51716 of 2024, by this Court.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that petitioner was arrested on spot by the police.

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)

Nirajkrs/-

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