

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54064 of 2024

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

1. Akhilesh Kumar @ Pintu @ Chintu Son of Rameshwar Mahto @ Ghenari Mahto R/O Vill.- Kesariya Dih, P.s.- Kesariya, Dist.- East Champaran
2. Laxman Kumar @ Lakshman Kumar @ Bhanu Son of Rameshwar Mahto @ Ramsharay Mahto R/O Vill.- Kesariya Dih, P.s.- Kesariya, Dist.- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh, Adv
For the Opposite Party/s : Mr. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 03-10-2024 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. The petitioners have 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 petitioners and the co-accused persons were apprehended when they were gathered for making preparation to commit crime. On search, one loaded country made pistol and two live cartridges were recovered from the possession of the petitioner no 1, namely, Akhilesh



Kumar. 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 petitioner no. 2, namely, Laxman 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 petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners. The other co-accused person has already been granted bail by this Court *vide* order dated 05.08.2024 passed in Cr. Misc. No. 50516 of 2024. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 24.04.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are 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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