

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52689 of 2024

Arising Out of PS. Case No.-93 Year-2019 Thana- SHYAMPUR BHATHAN District-
Sheohar

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Abhishek Singh @ Abhishek Kumar Singh son of Ashok Singh @ Ashok
Prasad Singh Village- Gangor Ps- Bakhari Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate
For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-07-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Shyampur Bhathan P.S. Case no.93 of 2019 registered 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 prosecution case, on receiving information about the accused persons having gathered and planning to give effect to an occurrence, it is stated that a raid was conducted. A number of accused persons managed to escape and they were identified, which included the petitioner herein.

4. Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the case. He was neither arrested at the spot nor any incriminating article has been recovered from his possession. The cause of his false implication is his antecedents. The only material against the petitioner is the statement of co-accused made before police. The petitioner is in custody since 8.5.2024.

5. The application for bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the FIR, the petitioner not having been arrested at the spot, no incriminating article having been recovered from the petitioner’s possession and his having remained in custody since 8.5.2024, the petitioner is directed to be enlarged on bail in connection with Shyampur Bhathan P.S. Case no.93 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sheohar.

(Partha Sarthy, J)

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