

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56632 of 2024

Arising Out of PS. Case No.-942 Year-2023 Thana- NATHNAGAR District- Bhagalpur

Aditya Anand Dev, adult Male, aged about 20 years old, Son of Sanjeev Kumar Dev, Resident of village - Ganaura Badarpur, Present (Nurpur Tanti Tola), P.S. - Madhusudanpur, District – Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baijnath Sah, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 19-08-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Nathnagar P.S. Case No. 942 of 2023 instituted for the offences punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, one Desi loaded kata with live cartridges have been recovered from the accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent has committed no offence and has falsely been implicated in this case. It is further submitted that nothing has been recovered from the conscious possession of the petitioner. Petitioner has not arrested at the spot and nothing incriminating articles has been recovered from his conscious



possession. Petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 13.11.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned Additional District and Sessions Judge-XIII, Bhagalpur dated 05.03.2024, it appears that petitioner is named in the FIR and his name transpired in this case during the course of investigation. Petitioner has got clean antecedent as stated in para 3 of the petition, so considering all these aspects of the case and period of custody, the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned Judicial Magistrate-1st, Class, Bhagalpur in connection with Nathnagar P.S. Case No. 942 of 2023.

(Ramesh Chand Malviya, J)

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