

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58725 of 2024

Arising Out of PS. Case No.-51 Year-2024 Thana- SIKARHATTA District- Bhojpur

Kush Kumar @ Baja S/O Ujagir Sah Resident of village- Charpokhari, P.S-
Charpokhari, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 03-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sikrahtta P.S. Case No. 51 of 2024 dated 24.04.2024 registered for the offences punishable under Sections 399 and 402 of the Indian Penal Code and Section 25(1-B)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, two live cartridges and one motorcycle were recovered from the possession of the co-accused, Amar Kumar, one loaded country made katta and mobile phone were recovered from the possession of the petitioner and one loaded country made katta was recovered from the possession of the co-accused, Laxman Thakur.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The charge-sheet has been submitted against the petitioner. The name of the petitioner has transpired in this case merely on suspicion. Nothing has been recovered from the possession of the petitioner. The petitioner has no concern with the alleged offence. The petitioner has nine criminal antecedents in which he is on bail in all the cases as stated in para 3 of the bail petition. The petitioner is in custody since 24.04.2024. The co-accused has been granted regular bail by this Court vide order dated 18.09.2024 passed in Cr. Misc. No. 62160 of 2024.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is 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, Bhojpur at Ara in connection with Sikrahatta P.S. Case No. 51 of 2024, with the condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date,



failing which on two consecutive dates without reasonable
cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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