

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60518 of 2024

Arising Out of PS. Case No.-46 Year-2024 Thana- MOTIHARI TOWN District- East
Champaran

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Chandra Shekhar @ Shekhar Son of Late Suresh Kumar Resident of Village-
Bhojpur, P.s.- Kadar Chowk, District- Badayu, U.P.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv
For the Opposite Party/s : Mr. Bharat Lal, APP

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

ORAL ORDER

2 05-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioners have preferred this application for
grant of regular bail in connection with (Motihari) Town P.S.
Case No. 46 of 2024 dated 20.01.2024 registered for the
offences punishable u/ss 399, 400 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, the informant saw the
accused persons hiding themselves behind the brick stock. It is
also alleged that police apprehends five co-accused persons
including the petitioner. On being searched, arms and
ammunition were recovered from the co-accused persons and



one country made pistol and four live cartridges were recovered from the possession of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No incriminating article has been recovered from the conscious possession of the petitioner. Similarly situated co-accused has already been granted bail by this court *vide* order dated 09.07.2024 passed in Cr. Misc. No. 43942 of 2024. The petitioner has one antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 22.01.2024.

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, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran, Motihari in connection with (Motihari) Town P.S. Case No. 46 of 2024, with a condition/s:-

(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 bond of the petitioner is liable to be cancelled.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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