

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66663 of 2024

Arising Out of PS. Case No.-1413 Year-2023 Thana- KAHALGAON District- Bhagalpur

Amarjeet Kumar Son of Budhan Mandal Resident of Village - Sankarpur, P.S.
- Sabour, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Kahalgaon (Ghogha) P.S. Case No. 1413 of 2023, registered on 30.12.2023 for the alleged offences under Sections 398, 412, 397 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of the Arms Act.

3. As per prosecution case, 6-7 miscreants on the gun point looted cash and mobile phones from the informant and others. Police came on the spot and chased the miscreants and the petitioner and co-accused Rishi Kumar were apprehended. From the possession of the petitioner, recovery of a country made katta and one live cartridge were made.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No looted article was recovered from the conscious possession of the petitioner and he has falsely been implicated in this case. From bare perusal of FIR, no offence under Section 397 or 398 IPC is made out against the petitioner. The country made katta and cartridge were recovered separately and it shows katta was not loaded which falsifies the allegation against the petitioner that he threatened the victims at gun point. Learned counsel further submits that the petitioner is having antecedent of three cases and he is in custody since 30.12.2023 and charge sheet has been submitted.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge sheet, the petitioner above named is directed to 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 learned Chief Judicial Magistrate, Bhagalpur/concerned Court in connection with Kahalgaon



(Ghogha) P.S. Case No. 1413 of 2023, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

DKS/-

U		T	
---	--	---	--

