

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66400 of 2024

Arising Out of PS. Case No.-425 Year-2023 Thana- KALYANPUR District- East Champaran

Bablu Kumar S/o- Nagendra Ray Village- Shambhuchak Ps-Kalyanpur
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 20-09-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Kalyanpur P.S. Case No. 425 of 2023, instituted for the offences punishable under Sections 399, 402, 414 of the Indian Penal Code, Sections 25(1-B)(a), 26, 35 of the Arms Act, Sections 8, 20(b)(ii)(c) of the NDPS Act.

3. The prosecution case, in short, is that, the F.I.R. named accused persons including the present petitioner were arrested on the spot, while they were assembled to commit *loot-pat* from employee of the Finance Company. In course of search, from the possession of the petitioner, four live cartridges have been recovered. Other incriminating articles as mentioned



in the seizure list were also recovered from the other co-accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner has also submitted that the petitioner has got no concern with the alleged recovery of arms. The petitioner is in custody since 28.11.2023 and has got two criminal antecedents. There is no compliance of Section 100 of Cr.P.C. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 10.04.2024 passed in Cr. Misc. No. 15255 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of Court
below/concerned Court in connection with Kalyanpur P.S. Case
No. 425 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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