

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 70570 of 2024

Arising Out of PS. Case No.-212 Year-2024 Thana- BAHERA District- Darbhanga

Sakaldeo Kumar @ Sakal Deo Kumar S/o Ram Lakhan Prasad @ Ram
Lakhan Prasad Yadaw @ Ramlakhan Yadav Resident of Village- Harichandan
Bigha, P.S. Mufassil, District- Nawada, Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Adv
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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

ORAL ORDER

2 26-09-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bahera P.S. Case No. 212 of 2024 dated 17.06.2024 registered for the offences punishable u/ss 399 and 402 of the Indian Penal Code and 25 (1-B)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused persons were apprehended while they were trying to flee away from the Scorpio vehicle and on search one mobile phone was recovered from the pant of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The said recovered mobile phone belongs to the petitioner. The petitioner has no concern with the alleged



occurrence and the petitioner is not the owner of the said seized vehicle and the same was not being driven by him at the time of the alleged recovery. Nothing 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 04.09.2024 passed in Cr. Misc. No. 61085 of 2024. The petitioner has clean criminal antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 18.06.2024.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners 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, Benipur, Darbhanga in connection with Bahera P.S. Case No. 212 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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