

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71119 of 2024**

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

Abhijit Kumar @ Nippu @ Bipapu S/O Bindeshwar Prashad @ Bindeshwar Prasad Yadav Resident of Village- Moti Bigha, Ward No. 3, P.S. Nawada (Nagar), District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar

For the Opposite Party/s : Mr.Jitendra Kumar Singh

**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 mobile phones were recovered from the pants of the accused persons and one iron rod and a loaded Desi Katta with live cartridges were recovered from the said vehicle. One mobile phone was also 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. Nothing has been recovered from the conscious possession of the petitioner. The other co-accused persons have already been granted bail by this court *vide* order dated 04.09.2024 passed in Cr. Misc. No. 61085/2024. The petitioner has one antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 18.06.2024.

5. Learned A.P.P. for the State has vehemently 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, 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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