

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82718 of 2023

Arising Out of PS. Case No.-59 Year-2023 Thana- PUSA District- Samastipur

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Bittu Sahni @ Bittu Kumar, Son of Mahesh Sahni @ Mahesh Sahani Resident
Of Village- Dhobgama, P.S.- Pusa, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Pratap. Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 15-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Pusa P.S. Case No. 59 of 2023 for the offences registered under
Sections 399 and 402 of the Indian Penal Code and Sections
25(1-B)a, 26 and 35 of Arms Act.

3. As per the prosecution case, on getting secret
information the informant along with other police personnel
reached at the mango orchard and apprehended two accused
persons while other named accused persons including the
petitioner managed to flee away. It is alleged that two country
made pistols and three live cartridges were recovered from
possession of apprehended accused persons.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this case.



Petitioner was not arrested on the spot. Nothing incriminating has been recovered from his possession. He has one criminal antecedent in which he is on bail. He is in custody since 14.09.2023. It is further submitted that similarly situated co-accused persons, namely, Nandlal Singh @ Lulhawa, Deepak Ray @ Deepak Rai @ Deepak Roy and Anmol Kumar have already been granted bail by co-ordinate Benches of this Court, vide order dated 11.10.2023 passed in Cr. Misc. No. 64540 of 2023, order dated 11.08.2023 passed in Cr. Misc. No. 49175 of 2023 and order dated 21.07.2023 passed in Cr. Misc. No. 42171 of 2023 respectively.

5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner.

6. Considering the submissions made on behalf of the parties, facts and circumstances of the case and period of custody, let the petitioner, named above, be enlarged on bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court where the case is pending in connection with Pusa P.S. Case No. 59 of 2023.

(Sunil Dutta Mishra, J)

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