

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84400 of 2023

Arising Out of PS. Case No.-818 Year-2022 Thana- KANKARBAG District- Patna

Vivek Kumar @ Kobra Son Of Vijay Prasad Gupta R/O Gaighat, Kajibagh,
Khada Kuan, P.S.- Alamganj, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand Kumar

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

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

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 399 and 402 of the Indian Penal Code, Sections 20(b) (ii) (a) 22(b) and 29 of the NDPS Act and Sections 25(1-b)a,26 and 35 of Arms Act.

3. As per FIR, police team apprehended petitioner along with other co-accused persons while they were planning to commit crime and from the possession of this petitioner, two cartridges along with one magazine has been recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to his criminal antecedent. He has no concern with the seized articles. No any



narcotic drugs have been recovered from the possession of this petitioner. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 17.10.2023 in Cr. Misc. No. 65740 of 2023. Moreover, the petitioner is languishing in judicial custody since 05.09.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kankarbagh P.S. Case No. 818 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-IV, Patna.

(Sunil Kumar Panwar, J)

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