

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85991 of 2024

Arising Out of PS. Case No.-117 Year-2024 Thana- KHUTAUNA District- Madhubani

Govind Kumar S/O Shiv Narayan Yadav R/O Village- Ekdara, P.S- Khutauna,
District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Sharma, Adv.
For the Opposite Party/s : Mr.Parmanand Prasad, APP

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

ORAL ORDER

2 17-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Khutauna P.S. Case No. 117 of 2024 instituted for the offences
under Sections 317(4), 317(5), 3(5) of the B.N.S., 2023.

3. As per prosecution case, the police, on receipt of
secret information, apprehended two motorcycle-borne accused
persons including the petitioner and, on search, recovered total
15 mobile phones from their possession.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
merely on the basis of suspicion. He further submits that



nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner is a student of B.Sc. Nursing and has no concern with the seized article. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has one criminal antecedent and is languishing in judicial custody since 16.08.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Khutauna P.S. Case No. 117 of 2024.

(Rudra Prakash Mishra, J)

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