

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.337 of 2024

Arising Out of PS. Case No.-324 Year-2023 Thana- CHHAURADANO District- East
Champaran

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Alok Kumar Son Of Hirday Narayan Prasad Yadav Resident Of Village -
Mathiya Vrit, P.S. - Chhauradano, District - East Champaran, Motihari

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar
For the Opposite Party/s : Mr.Shaheen Begum

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

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

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

3. As per allegation in the FIR, police party proceeded towards place of occurrence on getting secret information about assembling of antisocial elements. On seeing the police party, miscreants started to flee but three of them were apprehended including the petitioner. On search, one live cartridge, cash of Rs. 7,000/- and a Apache motorcycle were recovered from possession of the petitioner.



4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Seized article belongs to other apprehended accused and not from the petitioner. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. Petitioner is a man of clean antecedent and languishing in judicial custody since 2.10.2013.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Raxaul at East Champaran, Motihari in connection with Chhauradano P.S. Case No. 324 of 2023.

(Sunil Kumar Panwar, J)

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