

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85350 of 2023

Arising Out of PS. Case No.-82 Year-2023 Thana- DANDKHORA District- Katihar

Sheikh Aakash @ Md. Sheikh Aakash @ Sheikh Alam Son Of Sheikh
Fakruddin @ Sekh Fakruddin Resident Of Village- Didhoch, Ps- Pranpur,
Distt- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajendra Prasad Sah, Advocate

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

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

ORAL ORDER

3 19-03-2024 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in Dandkhora P.S. case No.
82 of 2023 instituted for the offences under Sections 413, 414,
34 of the Indian Penal Code and Sections 25(1-b)a, 26 of the
Arms Act.

3. Prosecution allegation, in short, is that the on seeing
the police, the accused persons started fleeing away and a
country made pistol, one live cartridge, two mobile phones and
one motorcycle were recovered.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this case. No incriminating



material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the recovered articles. One of the recovered mobile belongs to the petitioner. The petitioner is in custody since 12.08.2023 and has no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Dandkhora P.S. case No. 82 of 2023.

(Rudra Prakash Mishra, J)

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