

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86120 of 2023

Arising Out of PS. Case No.-201 Year-2023 Thana- BAKHARI District- Begusarai

Sanjay Mukhiya Son of Late Rambilash Mukhiya @ Ramvilash Mukhiya @
Late Vilash Mikhiya R/o vill - Makhachak, (Makkhachak) near Maharani
Mandir, ward no. 06, Nagar Panchayat Bakhari, P.s .- Bakhri, Dist. -
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kr Gautam, Adv.

For the Opposite Party/s : Ms.Nirmala Kumari, APP

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

ORAL ORDER

3 20-03-2024 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Bakhri
P.S. Case No. 201 of 2023 instituted for the offences under
Section 25(1-b)a, 26, 27 of the Arms Act.

3. As per prosecution case, the Informant was on way
when it is alleged that he was accosted by three unknown
persons who have taken away the amount of Rs. 1,35,000/- on
the gun point.

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.



The petitioner is not named in the F.I.R. and on the basis of information given by spy, he has been implicated in the present case. Though the police has recovered two country made pistols, two live cartridges and Rs. 40,000/- from the house of the petitioner but, as a matter of fact, nothing incriminating ha been seized from the conscious possession of the petitioner. The Test Identification Parade has not been done as yet. The petitioner has two criminal antecedents but, in both of them, he is on bail as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 02.08.2023. Charge-sheet has been submitted in this case.

5. Learned counsel for the petitioner again submits that the co-accused Amarjeet Kumar Sah has been granted bail by this Court vide order dated 04.12.2023 passed in Cr. Misc. No. 76948 of 2023.

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

7. 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 as also the prayer for bail based on parity, let the petitioner, abovenamed, be released on bail after framing of charge, if not



already framed, 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 Bakhri P.S. Case No. 201 of 2023.

(Rudra Prakash Mishra, J)

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