

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85353 of 2023

Arising Out of PS. Case No.-1063 Year-2023 Thana- TURKAULIYA District- East
Champaran

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Vipul Kumar Son of Ramesh Thakur @ Ramesh Kumar Thakur Resident of
village - Sariyatpur, P.S.- Pipra, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-01-2024 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 and 402 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act and Sections 8 and 20(b)(ii)(c) of the N.D.P.S. Act.

3. It is a case of assembling for commission of offence and five accused persons including the petitioner were apprehended on the spot with motorcycle and Scorpio vehicle and from possession of the petitioner one loaded country made pistol along with one live cartridge has been recovered.

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He has no any concern with the alleged recovery nor vehicles inquestion belongs to him. Both the seizure list witness are police personnel which is complete violation of Section 100 of Cr.P.C. Petitioner is languishing in judicial custody since 10.10.2023.

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 as well as period of custody, 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 Sessions Judge/Special Judge, East Champaran, Motihari in connection with Turkauliya P.S. Case No. 1063 of 2023.

(Sunil Kumar Panwar, J)

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