

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1891 of 2024**

Arising Out of PS. Case No.-261 Year-2023 Thana- SHAMBHUGANJ District- Banka

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Aniket Singh @ Jhakku Son of Raghwendra Narayan Singh R/o Nayka Loha  
Tola, P.S. - Revelganj, Distt. - Saran at present Basanti Colony Near S.I.T.  
Chawk, P.s. - Udit Nagar, P.s. - Sundargarh, Dsitt. - Rourkela (Orissa)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Raghwendra Pratap Singh, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

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

ORAL ORDER

2      29-01-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in Shambhuganj P.S. Case  
No. 261 of 2023, instituted for the offences punishable under  
Section 399/402 of the Indian Penal Code and Sections 25(1-  
b)a, 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, police team  
apprehended this petitioner along with other co-accused persons  
while they were planning to commit dacoity and on search, a  
country made pistol along with six live cartridges has been  
recovered from the possession of co-accused person and some  
mobile phones have also been recovered. One mobile has been  
recovered from the petitioner.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of suspicion. The petitioner has no concern with the seized articles and nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as has been stated in paragraph no. 3 of the present bail application. Learned counsel for the petitioner further submits that the seized mobile phone belongs to the petitioner. The petitioner is languishing in judicial custody since 23.09.2023. Similarly situated co-accused has been granted by a Co-ordinate Bench of this Court vide Order dated 11.01.2024 passed in Cr. Misc. No. 85572 of 2023.

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

6. Considering the entire facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Shambhuganj P.S.  
Case No. 261 of 2023.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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