

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2119 of 2024

Arising Out of PS. Case No.-343 Year-2023 Thana- ATHMALGOLA District- Patna

Naveen Singh@Anil Kumar Singh@Anil Kumar Sinha S/O Late Parmanand
Singh R/O Vill-Phulelpur, Ps-Athmalgola, Barh, Dist-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pratik Mishra, Advocate

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

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

ORAL ORDER

3 20-02-2024 Heard learned counsel for the petitioner and learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with
Athmalgola P.S. case No. 343 of 2023 instituted for the offences
under Sections 399, 402, 414 of the Indian Penal Code and
Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. Prosecution allegation, in short, is that police, on the
basis of secret information that few miscreants were planning to
commit dacoity, raided the place. Seeing the police party,
accused persons tried to flee away but two of the accused
persons including this petitioner were arrested. On search, six
live cartridges were recovered from the left pocket of this
petitioner.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case merely on the basis of suspicion. Learned counsel pointed out the fact that, on the date of occurrence, i.e. 19.10.2023, the seizure list was prepared at 01.40 AM whereas the F.I.R. was lodged after 02.30 AM. Learned counsel further submitted that there is no compliance of Section 100 of the Cr.P.C. It has been submitted on behalf of the petitioner that the petitioner is in custody since 20.10.2023 and has two criminal antecedents.

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 Athmalgola P.S. case No. 343 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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