

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1340 of 2024

Arising Out of PS. Case No.-142 Year-2022 Thana- GARDANIBAG District- Patna

VISHAL TIWARI @ BARE SON OF JAY PRAKASH TIWARI RESIDENT
OF VILLAGE - KAB, P.S. - RANI TALAB, DISTRICT - PATNA, BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate
Mr. Ashwani Raj Narayan, Advocate
Mr. Ashutosh Kumar, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-01-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Gardanibagh P.S Case no.142 of 2022 registered under sections 399 and 402 of the Indian Penal Code and sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, the informant states that on receiving information about the accused persons having gathered and planning to give effect to an occurrence, a raid was conducted and some of the accused persons were caught along with illegal arms and ammunitions. It is further stated that the accused who were caught disclosed the names of the accused who had managed to escape and which included the petitioner



herein.

4. Learned counsel for the petitioner submits that neither the petitioner was arrested at the spot nor any incriminating article recovered from his possession. The only material against him is the statement of co-accused made before police. He is in custody since 12.7.2023 and charge-sheet has been submitted in the case.

5. The prayer for bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R, no incriminating article having been recovered from his possession, the petitioner being in custody for more than 6 months since 12.7.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Gardanibagh P.S Case no.142 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate XIV, Patna.

(Partha Sarthy, J)

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