

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2040 of 2024

Arising Out of PS. Case No.-315 Year-2022 Thana- MADANPUR District- Aurangabad

Pappu Kumar @ Chhotu S/O- Dwarika Yadav R/O- Village- Jamuniya, P.S.-
Madanpur, Dist.- Aurangabad (BIHAR)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal

For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 26-04-2024 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 353, 120(B) of Indian Penal Code and sections 25(1-b) a, 26 and 35 of the Arms, Section 3, 4, 5 of the Explosive Substance Act and Section 16, 18, 20 and 38 of the Unlawful Activities (Prevention) Act.

3. As per allegation in the FIR, on getting secret information in respect of assembling of antisocial naxal group to hatch a conspiracy, police officials proceeded towards place of occurrence and seized



pistols, rifle, LED, naxal novel, edible items, torch, battery etc. which were kept hidden in caves of hills. Thereafter, FIR was registered against 41 named and 21 unknown accused persons.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. General and omnibus allegations have been levelled against all the accused persons including the petitioner. Neither he was arrested on spot nor anything was recovered from his conscious possession. He has no concern with other accused persons or with the seized arms. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. Moreover, petitioner is remanded in this case from another case. Petitioner is languishing in judicial custody since 03.08.2023.

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,
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 Chief Judicial
Magistrate, Aurangabad in connection with Madanpur
P.S. Case No. 315 of 2022.

(Sunil Kumar Panwar, J)

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