

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51949 of 2018

Arising Out of PS.Case No. -518 Year- 2018 Thana -SONEPUR District- SARAN

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Rupesh Singh, S/o. Shiv Kumar Singh, R/o. Village- Damodarpur, P.S.-
Sonepur, District- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Mr. Shantanu Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

2 24-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 399/402 of the Indian Penal
Code, Section 37(b) of the Bihar Prohibition and Excise Act, 2016
and Sections 25(1-b) A, 26/35 of the Arms Act.

Petitioner along with other accused persons are said
to have been congregated to commit some offences and petitioner
and accused Dharmendra Kumar Singh were apprehended by the
police in inebriated condition after giving chase while other
accused managed to escape. From the possession of petitioner one
mobile phone and from Dharmendra Kumar Singh one loaded
country made pistol is said to have been recovered.

It is submitted by learned counsel for the petitioner



that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern with the aforesaid occurrence. He has been falsely implicated in the case at the instance of his enemy. The mobile, seized from the possession of the petitioner is his own which has been purchased by him. He has no concern with other apprehended accused. He happens to be teetotaler and had never consumed liquor. He has no criminal antecedent. He has been languishing in custody since 02.06.2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-VI, Saran in connection with Sonapur P.S. Case No. 518 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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