

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26449 of 2018

Arising Out of PS.Case No. -305 Year- 2017 Thana -ATRI District- GAYA

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1. Rakesh Kumar S/o Shivnandan Prasad, R/o Vill.- Tetar, P.S.- Atri, Distt.- Gaya. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. Sri Rajendra Singh Shastriji

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 09-05-2018 Heard learned Counsel for the petitioner and the State.

Petitioner, already in custody since 9.12.2017, seeks bail in Atri PS Case No. 305 of 2017 registered under Sections 399, 402, 414 of the IPC and Section 25(1-b)a, 26, 35 of the Arms Act.

The allegation in brief is that the police raided in the night on information of assembly of miscreants and apprehended two persons while others escaped away, the apprehended person disclosed name of the petitioner also and when his house as raided one loaded country made rifle was recovered.

Learned Counsel for the petitioner submits that the recovery of so called arm is not from the conscious possession of the petitioner, joint family lives there, petitioner has no criminal antecedent and almost similarly situated another co-accused who were not apprehended from the spot but recovery of arms was made from their house have been admitted to bail by a coordinate Bench of this Court vide Cr. Misc. No. 13424 of 2018.

Having considered the said facts and circumstances, the petitioner, namely, Rakesh Kumar is directed to 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 ACJM Ist Gaya in connection with Atri PS Case No. 305 of 2017.

Snkumar/-

(Arun Kumar, J)

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