

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30353 of 2018

Arising Out of PS.Case No. -187 Year- 2017 Thana -KUDHNI District- MUZAFFARPUR

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Rahul Kumar, son of Ram Naresh Mishra, resident of village Garahua, P.S.
Kudhni, District Muzaffarpur. Petitioner.

Versus

The State of Bihar. Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Jha

For the Opposite Party/s : Mr. S. Ehteshamuddin

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

ORAL ORDER

02 16-05-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Kudhni P.S. Case
No.187 of 2017 registered under Section 216A of the Indian Penal
Code and Section 25 (1-A), 25 (1-AA), 25 (1-b) a, 26 (ii) and 35
of the Arms Act.

One country made pistol and two live cartridges are
said to have been recovered from the possession of the petitioner.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from his
conscious physical possession. He has been falsely implicated in
this case at the instance of his enemy planting the aforesaid
recovery from his possession. The petitioner has been languishing
in custody since 12.05.2017. Earlier, the bail prayer of the
petitioner was rejected vide order dated 19.08.2017 with a



direction to the learned trial Court to conclude the trial as expeditiously as possible preferably within nine months from the date of receipt/production of a copy of the said order, but the trial has not yet been concluded.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail 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 Judicial Magistrate 1st Class, Muzaffarpur in connection with Kudhni P.S. Case No.187 of 2017.

(Prakash Chandra Jaiswal, J)

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