

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33902 of 2019

Arising Out of PS. Case No.-608 Year-2018 Thana- MOTIHARI TOWN District- East
Champaran

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RAKESH KUMAR Son of Chhotelal Sah, Resident of Village - Mathia Jairat
Chhatauni, P.S.- Chhatauni, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Priyesh Kumar, Adv.
For the Opposite Party/s : Mr.Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 17-08-2019 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection with
NDPS Case No. 51 of 2018 arising out of Motihari P.S. Case
No. 608 of 2018 for the offences punishable under Sections 399,
402, 120(B), 414 of the Indian Penal Code and Sections 25(1-
b)A, 26, 35 of the Arms Act and Sections 16, 20, 22 and 23 of
the NDPS Act.

The allegation is regarding the police having
apprehended the accused persons after receiving secret
information that they were planning to commit loot at the
premises of a businessman, whereupon search was made in
presence of independent witnesses and as far as the



petitioner is concerned, one loaded country made pistol with one live cartridge was recovered.

The learned counsel for the petitioner submits that the petitioner is having a clean antecedent and is languishing in custody since 31.08.2018. It is further submitted that the petitioner is innocent and he has been falsely implicated in the present case.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on regular bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned ^{7th} Additional Sessions, Motihari in connection with NDPS Case No. 51 of 2018 arising out of Motihari Town P.S. Case No. 608 of 2018.

(Mohit Kumar Shah, J)

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