

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4279 of 2020

Arising Out of PS. Case No.-382 Year-2019 Thana- KOTWALI District- Munger

Rahul Kumar S/o- Jitendra Ram, Resident of Mohalla Krishnapuri, P.S.-
Kotwali (Purab Sarai), Distt- Munger.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh
For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-01-2020 Heard learned counsel for the parties.

The petitioner seeks bail in connection with Kotwali(Purab Sarai) P.S. Case No.382 of 2019 registered for the offence under Sections 25(1-A), 25(1-AA), 25(1-b)a/26/35 of the Arms Act.

On receiving secret information on 07.09.2019 at about 10.30 P.M. that two accused persons had gone to Dilawarpur for sale and purchase of arms, the informant along with raiding party reached the place of occurrence and the petitioner and other accused persons were arrested by the police and recovered several live cartridges.

It is submitted on behalf of the petitioner that the petitioner has been falsely implicated in the present case and nothing has been recovered from his possession.It is also submitted that co-accused, namely, Akash Kumar, having similar allegation, has



already been granted bail by this Court vide order dated 16.01.2020 passed in Cr.Misc.No.1305 of 2020.The petitioner is in custody since 16.10.2019 having no criminal antecedent.

Considering the aforesaid facts and circumstances as well as the fact that similarly situated co-accused person has been granted bail, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger, in connection with Kotwali(Purab Sarai) P.S. Case No.382 of 2019 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J.)

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