

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19425 of 2020

Arising Out of PS. Case No.-793 Year-2019 Thana- KOTWALI District- Patna

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Rakesh Kumar @ Rakesh Kumar Yadav Son of Late Tunnu Yadav Resident of
Village - Naya Tola Zorabganj, P.S.- Korha, Dist.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance

For the Petitioner : Mr. Sanjay Kumar no. 7, Advocate

For the State : Mr. Ram Sumiran Rai, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 04-06-2020 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner who is in custody since 2.9.2019 has filed the instant application for grant of regular bail in connection with Kotwali P.S. Case no. 793 of 2019 registered under sections 420, 467, 468, 471, 120B and other sections of the Indian Penal Code and sections 25(1-B)(a), 26 and 35 of the Arms Act.

As per allegation in the FIR, on information having been received that the accused persons have gathered to give effect to an occurrence, checking was started. It is stated that when the police personnel reached the hut, seeing the police personnel the petitioner made an attempt to escape but was caught and on search a loaded country made revolver was recovered from his waist.

It is submitted by learned counsel for the petitioner that the allegation of recovery as alleged in the FIR is false and concocted. No incriminating material has been



recovered and he is in custody since 2.9.2019.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the above facts and circumstances of the case as also the petitioner remaining in custody since 2.9.2019, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Kotwali P.S. Case no. 793 of 2019 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna.

(Partha Sarthy, J)

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