

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23948 of 2020

Arising Out of PS. Case No.-114 Year-2019 Thana- RASULPUR District- Saran

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RABINDRA NUT @ DHOLAN NUT Son of Chatthu Nut @ Gulten Nut
Resident of village - Pathra, P.S. - Manghagarh, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-09-2020 Heard Mr. Mukesh Kumar Singh , learned counsel for

the petitioner and Mr. Sanjay Kumar Sharma, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with

Rasulpur P.S. Case No. 114 of 2019 registered for the offence

punishable under Section 399 / 402 / 414 of the Indian Penal

Code ,1860 and Section 25 (1-b) a / 26 / 35 of the Arms Act.

The allegation against the petitioner as per the First

Information Report lodged by the Officer -in- charge of

Rasulpur Police Station is that on the basis of secret information

that some accused persons have assembled near an orchard

proceeded towards the place of occurrence and upon seeing the

Police party the accused persons started fleeing away but the



Police apprehended two of them including the petitioner. It has further been alleged that one loaded pistol was recovered from the possession of the petitioner along with one live cartridge.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has been arrested in this case with oblique motive. Learned counsel further submits that petitioner is in custody since 10.08.2019 and was not having any criminal antecedent, however after arrest in this case the petitioner has been remanded in one another case being Rasulpur P.S. Case No. 112 of 2019. Learned counsel also submits that co-accused Lakhan Singh has been granted bail by this court in Cr. Misc. No. 11203 of 2020. Learned counsel further submits that articles allegedly recovered from the possession of the petitioner has not been put on T.I.P. and the petitioner is in custody since 10.08.2019.

Having regard to the submissions made by the parties and taking into consideration the materials available on record and the fact that petitioner is in custody since 10.08.2019, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to



the satisfaction of learned A.C.J.M. XI Saran, Chapra / court
concerned in connection with Rasulpur P.S. Case No. 114 of
2019 on the following condition:-

*(i) that the petitioner shall remain
present on each and every date during the
course of trial and in case of default on two
consecutive dates on the part of the petitioner,
his bail bond shall be liable to be cancelled.*

It is made clear that at the time of furnishing bail bond
all the parties shall follow the guidelines regarding lockdown
and social distancing.

(Anil Kumar Sinha, J)

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