

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28861 of 2020

Arising Out of PS. Case No.-99 Year-2020 Thana- RAJAPAKAR District- Vaishali

RAJKET @ RAJKET RAI Son of Rajdev Rai Resident of Village -
Baikunthpur, P.S.- Rajapakar, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Soni, Adv.
For the Opposite Party/s : Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 12-11-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Sri Ashok Kumar, the learned APP for the State.

The petitioner seeks regular bail in connection with Rajapakar P.S. Case No. 99 of 2020, registered for the offence punishable under Sections 399, 402, 414 of the Indian Penal Code and Sections 25(1-b)A/26/35 of the Arms Act.



The allegation is regarding the police having received secret information that some miscreants were planning to loot a petro pump and when the police force had reached the Bhalui Panchayat Bhawan on the alleged date and time of occurrence, some miscreants started fleeing away, however, the police was able to nab four of the said miscreants, who disclosed, upon interrogation, that the petitioner is one of the person, who had escaped from the said place, upon seeing the police, whereafter the police had reached the house of the petitioner and recovered one HP Company Laptop and one pan card of one Ramprit Rajak.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 18.05.2020. It is further submitted that there is no material on record to suggest the complicity of the petitioner and moreover, there is no allegation, as against the petitioner, of having committed any loot.



Per contra, the learned APP has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the leaned counsel for the petitioner and taking into account the fact that no crime has actually been alleged to have been committed by the petitioner as also taking into account the fact that the petitioner is languishing in custody since 18.05.2020, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur in connection with Rajapakar P.S. Case No. 99 of 2020.

(Mohit Kumar Shah, J)

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