

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 85820 of 2019**

Arising Out of PS. Case No.-404 Year-2019 Thana- KOTWALI District- Munger

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Rahul Kumar S/o Dashrath Yadav @ Dashrath Prasad Yadav Resident of
Village- Shrimatpur, P.S.- Basudeopur (Kowali), Distt- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Raj Kishor Prasad, Advocate

For the Opposite Party/s : Ms Meena Singh, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 16-01-2020 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Kotwali Police Station (for
brevity, *PS*) Case No 404 of 2019 dated 25.09.2019 instituted
for the offence punishable under Section (s) 115, 109, 120B of
Indian Penal Code and Sections 25 (1-b)a, 26 (ii) and 35 of
Arms Act.

Prosecution case is that the petitioner, along with co-
accused, was planning to commit murder. It is alleged that a
country made pistol and 3 live cartridges have been recovered
from the petitioner's possession. On such allegation, he is in
custody since 26.09.2019. it is submitted that the petitioner has
no criminal antecedent. It is also submitted that in fact,



petitioner is a student and had also been selected and joined service in National Thermal Power Corporation at Patratu. It is submitted that it is case of false implication. The recovery is not in accordance with law.

Considering the aforesaid, let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Munger in connection with Kotwali PS Case No 404 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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