

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14022 of 2021**

Arising Out of PS. Case No.-18 Year-2020 Thana- BODHGAYA District- Gaya

Rohit Kumar @ Vishal Kumar Son of Sri Suresh Yadav Resident of Village-
Amewan, P.S.- Bodhgaya, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 16-07-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Bodhgaya P.S. Case No. 18 of 2020 registered under section 414 of the Indian Penal Code and sections 25 (1-B)(a), 26 and 35 of the Arms Act.

As per allegation in the F.I.R., on a raid being conducted in the house of one Gauri Shankar Pandey, five accused persons including the petitioner herein were caught and various articles including a loaded country made pistol etc., and cash was recovered from the possession of the accused persons. So far as the petitioner is concerned, a mobile phone was recovered from his possession.

It is submitted by learned counsel for the petitioner



that no incriminating article has been recovered from the petitioner's possession who has been falsely implicated in this case. He is in custody since 7.2.2020 and investigation in the case has concluded.

The application for bail is opposed by learned A.P.P. for the State who submits that large number of incriminating articles were recovered in presence of the petitioner who was caught at the place of occurrence and the petitioner is accused in several cases.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner being in custody for one year and five months, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Bodhgaya P.S. Case No.18 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya.

(ParthaSarthy, J)

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