

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17498 of 2021**

Arising Out of PS. Case No.-234 Year-2018 Thana- MINAPUR District- Muzaffarpur

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RAKESH KUMAR S/o Jatashankar Rai R/o Village- Batrauli, P.S.-
Mahindwara, District- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Kumar, Adv.

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 20-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 307 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the three accused persons came to the petrol pump of the informant and looted the petrol pump. It is further stated that one of the miscreants fired hitting the informant in his abdomen.

It is submitted by learned counsel for the petitioner that the F.I.R. was registered against unknown. No incriminating material has transpired in course of investigation to connect the petitioner with the alleged crime. The only material being relied upon against the petitioner is the information received from a



spy about the involvement of the petitioner in the occurrence. No incriminating material has been recovered from the petitioner's possession. In spite of being in custody since 7.2.2020, he has not been put on T.I. parade and chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner being in custody since 7.2.2020, the Court directs the petitioner to be enlarged on bail in connection with Minapur P.S. Case no.234 of 2018 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 Judicial Magistrate 1st Class, Muzaffarpur.

(Partha Sarthy, J)

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