

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19017 of 2021

Arising Out of PS. Case No.-108 Year-2020 Thana- MANIYARI District- Muzaffarpur

RAKESH KUMAR S/o Ram Raji Mehta R/o village- Simra Khaira Tola, P.S.-
Piar, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 16-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred the instant application for grant of regular bail in a case registered under sections 414 and 34 of the Indian Penal Code, sections 25(1-B)(a), 26 and 35 of the Arms Act and sections 8, 20 and 22 of the NDPS Act.

As per the prosecution case, it is stated that on a raid being conducted while one accused managed to escape, another accused namely, Vikash Kumar was arrested and a loaded country made revolver with two live cartridges and 918 grams of *charas* was recovered from his possession besides other articles. It is further stated that the said accused disclosed the name of the the accused who had managed to escape as the petitioner herein.

It is submitted by learned counsel for the petitioner



that the petitioner has been falsely implicated in the case. Neither he was arrested at the spot nor any incriminating article has been recovered from his possession. The only material against him is the statement of a coaccused made before the police. The petitioner is in custody since 27.5.2020 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 contents of the F.I.R. together with the petitioner being in custody for more than 1 year 3 months, this Court directs the petitioner to be enlarged on bail in connection with Maniyari P.S. Case no.108 of 2020 (N.D.P.S. Case no.38 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 Additional Sessions Judge-IV, Muzaffarpur.

(Partha Sarthy, J)

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