

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.30588 of 2021

Arising Out of PS. Case No.-478 Year-2020 Thana- BELHAR District- Banka

RAHUL RAY @ RAHUL RAI Son of Sikandar Ray @ Sikendra Ray
Resident of Village - Koylizer, P.S.- Belhar, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 09-12-2021 Heard the learned counsel appearing for the petitioner and
learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with Belhar
P.S. Case No. 478 of 2020 for the offence punishable under
Section 414 of the Indian Penal Code and Sections 25(1-b)a & 26
of the Arms Act.

The allegation is regarding recovery of one country made
pistol along with nine mobile phones from the house of the
petitioner.

The learned counsel for the petitioner has submitted that the
petitioner is innocent, has been falsely implicated in the present
and he is languishing in custody since 15.12.2020. It is further
submitted that though the petitioner is an accused in one other
case, however, the bail petition filed by the petitioner is still
pending consideration. It is next submitted that on account of
village politics the petitioner has been falsely implicated in the
present case.

Per contra, the learned APP appearing for the State has



vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail upon him furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Belhar P.S. Case No. 478 of 2020.

At this juncture, the learned counsel for the petitioner seeks to make certain corrections in the name of the police station in question, mentioned in the prayer portion of the petition. The learned counsel for the petitioner is permitted to do so during the course of the day.

(Mohit Kumar Shah, J)

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