

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3639 of 2021

Arising Out of PS. Case No.-279 Year-2020 Thana- KADAMKUAN District- Patna

RAHUL KUMAR S/o Rajendra Prasad, R/o Mohalla- Bhootnath Road
(Kabir Park), P.S.- Agamkuan, District- Patna. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to remove the defects as pointed out by the office within four weeks of normal functioning of the court, failing which the office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 25 (1-B)A, 26, 27 and 35 of the Arms Act.

The allegation, as per FIR, is that the police raided a tenanted premises of the petitioner and from a room of the said premises, recovered two fire arms along with cartridges and arrested five accused persons.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that as per FIR, there is no recovery



from the conscious possession of the petitioner and had gone to participate in the birthday party on invitation of his friend. Illegal arms were recovered from the room premises of co-accused. The petitioner is a student and preparing for competitive examinations. The petitioner is languishing in judicial custody since 03.07.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition. The co-accused have been granted bail by this Hon'ble Court vide order dated 02.02.2021 passed in Cr. Misc. No.37416/2020 and order dated 01.02.2021 passed in Cr. Misc. No.36843/2020.

Learned APP for the State opposes the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Kadamkuan P.S. Case No. 279/2020 to the satisfaction of learned Court below where the case is pending.

(Anjani Kumar Sharan, J)

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