

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1001 of 2021**

Arising Out of PS. Case No.-67 Year-2020 Thana- KARTAHA District- Vaishali

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RAHUL KUMAR @ DILJALEY Son of Late Baleshwar Rai Resident of
Village - Etbarpur, Sisaula, P.S.- Lalganj, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

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

Learned counsel for the petitioner undertakes to
remove the defects within three weeks of normal functioning of
the court proceeding. In the eventuality of non-removal of
defects within undertaken period, the office will place the matter
before the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 399, 402, 412, 413 of the
Indian Penal Code and Section 25 (1-b)a, 26(b), 35 of the Arms
Act.

Case of the prosecution is that five accused persons
were making plan to commit crime and on seeing the police,
they tried to flee away but out of them three accused persons



including the petitioner were apprehended. On search from the possession of the petitioner, a loaded country made pistol and a cartridge along with a motorcycle were recovered.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that only one loaded country made pistol and a live cartridge along with a motorcycle were recovered from the possession of the petitioner. He submits that nothing has been recovered from the possession of the petitioner except his own motorcycle. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 30.07.2020.

Considering the facts and circumstances of the case and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XV, Vaishali, Hajipur in connection with Kartaha P.S. Case No. 67 of 2020.

(Anjani Kumar Sharan, J)

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