

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3954 of 2021

Arising Out of PS. Case No.-64 Year-2020 Thana- BAKHTIYARPUR District- Patna

RAKESH KUMAR, SON OF SATYANARAYAN MAHTO ALIAS
SATYANARAYAN SINGH ALIAS SAT NARAYAN SINGH RESIDENT OF
VILLAGE- RAM TOLA, P.S.- LAKHO, DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-03-2021 Heard Mr. Sandip Kumar Gautam, learned Counsel

for the petitioner and Mr. Nawal Kishore Prasad, learned

Additional Public Prosecutor for the State, through Video

Conferencing.

This application, for grant of regular bail, arises out
of Bakhtiyarpur Police Station Case No. 64 of 2020, disclosing
offences under Sections 399, 402 of the Indian Penal Code and
Section 25(1-B)A, 26, 35 of the Arms Act.

The allegation, as per the First Information Report
is that the petitioner was found sitting in Scorpio vehicle with
other co-accused person on the highway and they were making
planning to commit dacoity and upon search, police party
recovered fired arms from three co-accused persons.



Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he was sitting in the Scorpio vehicle as a passenger. Learned counsel next submits that the petitioner has no criminal antecedent and no fire arm has been recovered from his conscious possession. Learned counsel further submits that petitioner is in custody since 25.02.2020 and the chargesheet has already been submitted against the petitioner and there is no likelihood that the petitioner will abscond or tamper with the evidence.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that petitioner is in custody since 25.02.2020 having no criminal antecedent and the chargesheet has already been submitted in this case, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, Rakesh Kumar, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Ist Barh, Patna, in connection with Bakhtiyarpur Police Station Case No. 64 of 2020.



It is made clear at the time of furnishing bail bond, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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