

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38882 of 2022

Arising Out of PS. Case No.-351 Year-2021 Thana- RAGHOPUR District- Supaul

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Md. Ruhul Khan @ Ruhul Khan @ Rahul, S/O Noor Mohammad Khan,
Resident Of Village- Hariharpatti, Ward No.- 05, P.S.- Pipra, District- Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 02-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Let the defect (s), if any, as pointed out by the
office, be removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Raghapur P.S. Case No. 351 of 2021 registered
for the alleged offences under Sections 25(1-b), 26 and 35 of the
Arms Act.

As per prosecution case, police received information
about gathering of criminals taking place at the house of the
co-accused Pawan Kumar. A raid was conducted and the
petitioner along with other co-accused persons were nabbed
from the said place. From the petitioner, a loaded country made
katta with one live cartridge of .315 bore was recovered. Further

recovery of arms and ammunition were made from other co-accused persons.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Except for suspicion, there is nothing against the petitioner. Charge sheet has been submitted in this case and the petitioner is in custody since 17.12.2021.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner submitting that the petitioner has got criminal antecedent and is accused in serious type of cases.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the submission of charge sheet along with period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M-1st, Birpur, Supaul in connection with Raghopur P.S. Case No. 351 of 2021, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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