

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50003 of 2021**

Arising Out of PS. Case No.-143 Year-2020 Thana- BRAHMPURA District- Muzaffarpur

Rakesh Kumar S/O Ramnath Ray R/O Village- Bharthua, P.S-Aurai, District-  
Muzaffarpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajeev Prakash

For the Opposite Party/s : Anita Kumari Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

4      26-04-2022                      Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Brahampura P.S. Case No. 143 of 2020 (NDPS Case No. 49 of 2020), registered for the offence under Sections 420, 379, 467, 468, 471, 401, 402, 290, 115 of the Indian Penal Code, Sections 25(1-b)a, 26, 35, 25(1-A)AA of the Arms Act and Sections 8/20 b(ii) (B) of the N.D.P.S. Act.

As per prosecution case, on the confession of apprehended co-accused Pappu Kumar, this petitioner was arrested from Laxmi Chowk and on search one 9 mm carbine, three live cartridges, various ATM Visa/debit cards laptop etc. were recovered from his possession.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. No incriminating material has been recovered from the conscious possession of the petitioner. Petitioner is in custody since 18.6.2020.

Learned counsel for the State opposes the prayer for bail and submits that apart from other incriminating recovery, a 9 mm carbine, which is a lethal and prohibited arms, has been recovered from the possession of the petitioner.

Considering the nature of accusation and the recovery from the petitioner, his prayer for bail is refused.

**(Prabhat Kumar Singh, J)**

shashi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

