

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42569 of 2022

Arising Out of PS. Case No.-43 Year-2022 Thana- BACHHWARA District- Begusarai

Rakesh Kumar @ Raka S/o Sudhir Chand Ray R/o village- Mathurapur, P.S.-
Dalsinghsarai, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Adv.

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 06-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bachchwara P.S. Case No. 43 of 2022 lodged under Sections
25(1-b)a, 26 of Arms Act.

As per the prosecution case, the recovery of one pistol
and 2 live cartridges have been made from the possession of the
petitioner.

Learned counsel for the petitioner submits that
petitioner is in custody since 20.02.2022 and charge sheet has
already been filed in this case. Counsel submits that there are 2
criminal antecedents of the petitioner in which he is on bail in

one case and in another case he is persuading for bail. Upon specific query that whether charge has been framed or not, learned counsel submits that as per his knowledge charge has not been framed in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner, therefore, his bail petition is hereby rejected.

However, liberty is hereby granted to the petitioner that he may renew his prayer for bail after framing of charge and the Trial Court is directed to release him on bail thereafter imposing its own conditions so that he may not evade his appearance during trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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