

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46925 of 2022

Arising Out of PS. Case No.-690 Year-2021 Thana- BIHAR District- Nalanda

Rahul Kumar @ Laddu S/O Bablu Kumar Resident of village- Ashthana, P.S.-
Sheikhpur Sarai, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-12-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), 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 Bihar P.S. Case No. 690 of 2021 registered for
the alleged offences under Sections 399, 402 and 414 of the
Indian Penal Code and Section 25(1-b)a/26/35 of the Arms Act.

As per prosecution case, police received information
about gathering of some criminals for committing some crime.
A raid was conducted and petitioner and other co-accused
persons were apprehended from the spot and from the
possession of this petitioner one country made pistol along with
two live cartridges of 0.315 bore were recovered.



Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. The petitioner was not present at the spot and he was taken into custody from his house. The alleged recovery is planted and nothing incriminating has been recovered from the person or possession of this petitioner. The petitioner is in custody since 11.10.2021 and charge-sheet has been submitted.

Learned APP opposes the prayer for bail submitting that petitioner is a habitual offender and is accused in a number of cases.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with the submission of charge-sheet against him, 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 1st Additional Sessions Judge, Nalanda at Bihar Sharif in connection with Bihar P.S. Case No. 690 of 2021, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and 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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