

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65852 of 2021**

Arising Out of PS. Case No.-280 Year-2021 Thana- GAYA KOTWALI District- Gaya

RAJESH PATHAK @ RAJWANSH PATHAK @ BABA Son of Raghuvansh
Pathak Resident of Village - Ismailpur, P.S.- Khizersarai, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 01-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 399, 402 of the Indian Penal
Code read with Sections 25(1-B)a, 26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 16.06.2021, charge-sheet has been
submitted and has antecedent of two cases.

Allegation is of recovery of one country made pistol
along with .315 live cartridge and one black colour mobile from
the petitioner and articles like cutter, mobile and live .315
cartridge from other accused person.

Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the present case and nothing has been recovered from the possession of the petitioner and the petitioner has remained in custody more than nine months.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody 16.06.2021 and charge-sheet has been submitted, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Kotwali P.S. Case No. 280 of 2021, subject to the condition that one of the bailors shall be the father (Raghuvansh Pathak) of the petitioner.

(Satyavrat Verma, J)

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