

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5340 of 2023

Arising Out of PS. Case No.-375 Year-2022 Thana- RANIGANJ District- Araria

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Rupesh Kumar @ Rupesh Kumar Mahaseth Son Of Shankar Mahaseth
Resident Of Village - Kalawati Nagar Ward No.- 03, P.S.- Raniganj, District -
Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 10690 of 2023

Arising Out of PS. Case No.-375 Year-2022 Thana- RANIGANJ District- Araria

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Rahul Singh Son Of Chandrahas Singh R/V- Nersinghpur, Ward No. 08, P.S.-
Baunsi, District- Araria

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 5340 of 2023)

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Vinod Shanker Modi

(In CRIMINAL MISCELLANEOUS No. 10690 of 2023)

For the Petitioner/s : Mr.Uma Shankar Prasad Singh

For the Opposite Party/s : Mr.Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-04-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have filed the instant application

for grant of regular bail in a case registered for the



offences punishable under Sections 399, 402 of the Indian Penal Code and Sections 25(1-b)A, 26, 35 of Arms Act.

The prosecution case in nutshell is that informant, being a police official, received a secret information about assembling of miscreants, in the house of Rupesh Kumar @ Rupesh Kumar Mahaseth (petitioner in Cr. Misc. No. 5340 of 2023) for preparing to commit crime. When the informant raided there Rahul Singh (petitioner in CR. Misc. No. 10690 of 2023) and other co-accused persons were arrested. It is further alleged that country made pistol and live cartridges were recovered from the possession of co-accused Suman Kumar Singh.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have committed no offence. They have falsely been implicated in the present case. Nothing incriminating has been recovered from the possession of the petitioners. It



is also submitted that there is nothing on record to show that co-accused persons were assembled at the place of occurrence to commit any crime. The petitioners have no concern either with the seized firearms or with the alleged occurrence. During investigation, there is no any independent witness to support the allegation levelled against the petitioner. Moreover, the petitioners are languishing in judicial custody for more than five months.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Raniganj P.S. Case No. 375 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount



each to the satisfaction of the learned Sub Divisional
Judicial Magistrate, Araria.

(Sunil Kumar Panwar, J)

nirajkrs/-

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