

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9087 of 2023

Arising Out of PS. Case No.-45 Year-2022 Thana- RAJEPUR District- East Champaran

Rahul Kumar, Son Of Sikendra Ray @ Sikindar Kumar R/V- Mahmmadpur
(Mohammadpur), Sagar, P.S.- Rajepur, District- East Champaran, Motihari
... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 279
and 337 of the Indian Penal Code and Sections 25(1-b)a, 26, 35
of the Arms Act.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that during course of checking of vehicle at Faujdar
Chowk, he got secret information that two miscreants were
coming with a motorcycle with illegal arms and also that they
had dashed a lady, who got injured and when motorcycle was
chased, a pistol fell from the possession of the miscreants.

The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is next submitted



that even pistol, which is alleged to have been recovered, does not belong to the petitioner and he came to be implicated based on secret information, which is the easiest way to implicate someone. It is next submitted that petitioner will not abscond rather will cooperate in the investigation and will present himself as and when required by the Investigating Officer.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Rajepur P. S. Case No.45 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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