

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10822 of 2023

Arising Out of PS. Case No.-142 Year-2022 Thana- GARDANIBAG District- Patna

Rajeev Kumar Singh @ Rajeev Kumar Son Of Radha Krishna Singh @
Radha Krishna Sharma R/V- Ka, P.S.- Rani Talab, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeeb Kumar Sanju

For the Opposite Party/s : Mrs.Asha Devi

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Gardanibag P.S. Case No. 142 of 2022 registered under sections 399 and 402 of the Indian Penal Code and Sections 25(1-B)a, 26 and 35 of the Arms Act.

Allegation against the petitioner along with other co-accused persons is that while they were assembled and preparing for committing offence, the police party raided the place of occurrence and arrested two co-accused persons. On search, there is recovery of one loaded country made pistol along with two live cartridges from the possession of the co-accused Vishwajeet Kumar and three live cartridges from the



possession of the co-accused Aryan Kumar. It is further alleged that from the house where these co-accused persons have been apprehended, there are recoveries of mobile and one motorcycle.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on suspicion. The name of the petitioner came into light in the F.I.R. on the basis of confessional statement of apprehended co-accused person, namely, Vishwajeet Kumar before the police. Neither the petitioner was arrested on spot nor anything incriminating article has been recovered from his conscious possession. He has no concern with the seized incriminating article. He is languishing in judicial custody since 21.05.2022. Moreover, similarly situated other co-accused person has already been granted bail by the different co-ordinate Bench of this Court vide order dated 09.12.2022 in Cr. Misc. No. 50538 of 2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case



as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Gardanibag P.S. Case No. 142 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna.

(Sunil Kumar Panwar, J)

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