

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15609 of 2023

Arising Out of PS. Case No.-257 Year-2022 Thana- BELA District- Sitamarhi

RAKESH KUMAR S/O LATE SONELAL PASWAN R/o- Majhaura (Tola),
P.S.- Bela, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha
For the Opposite Party/s : Mr.Rita Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case instituted for the offence under Sections 399/402 of the Indian Penal Code, Sections 25(1-B)a, 26 and 35 of the Arms Act and Sections 8/20(b)(2)(c)22 of the N.D.P.S. Act.

The prosecution case in nutshell is that informant being a police official, received secret information that 40-45 miscreants were assembled and they are planning for committing dacoity. On raid, three persons were apprehended and most of them fled away. It is further alleged that, there has been recovery of one country-made pistol and three live cartridges from the petitioner.

It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case. He has committed no offence. The petitioner has no concern with the alleged arms and cartridges, which was seized by the police. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He further submitted that the other co-accused has already been granted bail by this Bench vide order dated 19.04.2023 passed in Cr. Misc. No. 9582 of 2023. He is languishing in judicial custody since 12.10.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Sitamarhi in connection with Bela P.S. Case No. 257 of 2022.

(Sunil Kumar Panwar, J)

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