

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16047 of 2022

Arising Out of PS. Case No.-1151 Year-2021 Thana- AGAMKUAN District- Patna

RAHUL KUMAR SON OF KAILU YADAV R/O VILLAGE- RAKSA, P.S.-
EKANGARSARAI, DIST.- NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Shambhu Sharan Singh, Advocate
For the Opposite Party/s :	Dr. Mrityunjaya Kr.Gautam, APP
	Mr. Manoj Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 06-01-2023 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under section 394 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, it is stated by the informant that two accused persons made an attempt to steal the mobile phone kept in his tempo and on the informant resisting, accused Munna fired on him. Two other accused persons came on a motorcycle and these two accused persons managed to escape.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. For



the sake of argument even accepting the allegations in the F.I.R, the allegation of firing is not on the petitioner but on co-accused Munna. The petitioner is in custody since 18.12.2021 and charge-sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the contents of the F.I.R wherein the allegation of firing is on co-accused Munna and not on the petitioner together with the petitioner having remained in custody for 1 year since 18.12.2021 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Agam Kuan P.S. Case no. 1151 of 2021 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 Additional Chief Judicial Magistrate, Patna City, Patna.

(Partha Sarthy, J)

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