

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18500 of 2023

Arising Out of PS. Case No.-462 Year-2022 Thana- BARH District- Patna

=====

Rahul Kumar @ Rahul Sharma Son Of Sri Karu Sharma @ Karu Mistri @
Pramanand Sharma Resident Of Village - Kazichak, P.S. - Barh, Distt. - Patna

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Kumar Manglam

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 25(1-
b)a and 26 of the Arms Act.

As per prosecution case, informant alleged that on
20.07.2022, after getting information, he along with police
party reached at the place of occurrence and apprehended
co-accused, namely, Bittu Kumar @ Dipak Kumar and
recovered one country made pistol and six cartridges from
his possession and upon his confession name of this
petitioner came into light after that this case has been



lodged.

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 the basis of confessional statement of co-accused. Petitioner has no concern with the alleged recovery and not a single witness has supported the prosecution version. It is further submitted that neither petitioner is named in the FIR nor anything has been recovered from his conscious possession rather it has been recovered from co-accused person. Moreover, the petitioner is languishing in judicial custody since 08.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Barh P.S. Case No. 462 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Ist Additional Chief Judicial
Magistrate, Barh, Patna.

(Sunil Kumar Panwar, J)

Manish/-

U		T	
---	--	---	--

