

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26101 of 2023

Arising Out of PS. Case No.-1173 Year-2022 Thana- KHAJANCHI HAT District- Purnia

RAHUL KAMTI @ RAHUL KUMAR KAMTI S/O LATE MANOJ KANTI
Resident of Village- Harda Bazar, Ward No.- 04, P.S.- K.Hat, (Maranga),
District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar

For the Opposite Party/s : Mr. Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 24-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with K. Hat (Maranga) P.S. Case No. 1173 of 2022 dated 05.11.2022 registered for the offences punishable u/s 401, 413, 414, 379, 411 of the Indian Penal Code and 25 (1-b)a, 26, and 35 of Arms Act.

As per the prosecution case, the police received a secret informant about storage of stolen motorcycles in the house of the petitioner Rahul Kamti. A raid was conducted and



three accused persons were apprehended and from their possessions apart from a loaded country made pistol, ten looted motorcycles and other articles were recovered. Further, a raid was conducted in the house of the petitioner and stolen motorcycles and a mobile phones were recovered.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no knowledge of stolen motorcycles. Recovery was made from the courtyard of the petitioner. Nothing has been recovered from the conscious of the petitioner. Similarly situated co-accused has already been granted bail by the Co-ordinate Bench of this court *vide* order dated 15.05.2023 passed in Cr. Misc. No. 15328 of 2023. The petitioner is also accused in 8 other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 05.11.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court



concerned, Purnea in connection with K. Hat (Maranga) P.S.

Case No. 1173 of 2022 ,with the condition:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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