

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27195 of 2023

Arising Out of PS. Case No.-656 Year-2022 Thana- PARSABAZAR District- Patna

RAHUL KUMAR Son of Bhola Nath Resident of village- Vishunpur Pakari,
PS- Beur Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 25-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Parsa Bazar P.S. Case No. 656 of 2022 dated 28.11.2022, instituted for the offence punishable under Sections 25(1-b)a, 26/35 of the Arms Act.

3. As per the prosecution case, while the informant along with police party was checking vehicle and apprehended petitioner with co-accused persons and from the possession of petitioner, one mobile phone was recovered and from the possession of the co-accused, one live cartridge, mobile phone and other articles were recovered. It is further alleged, from the house of co-accused namely, Manish Kumar, a loaded country made pistol and a live cartridge have been recovered.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that no incriminating article/arms has been recovered from the possession of the petitioner. As per the seizure list, only mobile phone has been recovered from the possession of the petitioner. Learned counsel for the petitioner submits that one live cartridge has been recovered from co-accused namely, Manish Kumar, and also from his house, one loaded pistol and one live cartridge have been recovered, while from the possession of another co-accused, namely, Nitish Singh, one mobile phone has been recovered. Learned counsel for the petitioner further submits that co-accused namely, Nitish Singh and Manish Kumar have been granted bail by different Co-ordinate Bench of this Court vide order dated 12.04.2023 passed in Criminal Miscellaneous No. 20720 of 2023 and vide order dated 18.05.2023 passed in Criminal Miscellaneous No. 20948 of 2023 respectively. Lastly, it has been submitted that the petitioner is in custody since 28.11.2022 having no criminal antecedents. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the



petitioner be released on bail upon furnishing bail bonds of Rs.
10,000/- (ten thousand) with two sureties of the like amount each
to the satisfaction of the learned Judicial Magistrate, First Class,
Patna, in Parsa Bazar P.S. Case No. 656 of 2022.

(Khatim Reza, J)

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