

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29231 of 2023

Arising Out of PS. Case No.-470 Year-2022 Thana- BUDDHACOLONY District- Patna

Rohit Kumar S/O Suresh Kumar Das R/O Mohalla- Mansha Ram The
Akshara, House of Dheeraj Yadav, P.S- Mehandiganj, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravish Mishra, Adv.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 08-06-2023 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Buddha Colony P.S. Case No. 470 of 2022 lodged under
Sections 401, 411, 414, 34 of the I.P.C. read with Sections 25(1-
b) a /26 of the Arms Act.

As per the prosecution case, the petitioner along with
other co-accused persons were apprehended upon chase by the
police. Upon search, series of incriminating articles were
recovered from the possession of the other co-accused but from
the possession of the petitioner, 2 mobiles have been recovered
and he has alleged to be the associate of the other co-accused.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Learned counsel submits that for the first time, his name has figured in a criminal case on 19.09.2022 thereafter within 2 days, police has put the petitioner's name in 2 more criminal cases and present case is one of that.

Counsel further submits that petitioner is in custody since 23.09.2022. He submits that there are 2 criminal antecedent of the petitioner. In this regard, he has already submitted that in all the 3 cases, his name has figured just within 3 days and he is persuading for bail in other cases also.

Counsel further submits that recovery of arms has not taken place therefore, Arms Act shall not attracted against him and rest other cases are magisterial triable in nature.

Learned counsel for the State opposes the prayer for bail and submits that petitioner is associate of the criminals.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Buddha Colony P.S. Case No. 470 of 2022,

subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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