

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33442 of 2023

Arising Out of PS. Case No.-91 Year-2023 Thana- BUXAR District- Buxar

RAHUL KUMAR GUPTA @ RAHUL GUPTA S/O- SATISH PRASAD GUPTA @ SATISH GUPTA RESIDENT OF VILLAGE SARENJA, PS- RAJPUR, DIST- BUXAR, AT PRESENT AADERSH NAGAR WARD NO 21, PS- BUXAR (T) DIST- BUXAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-06-2023 Heard learned counsel appearing on behalf of the parties.

The petitioner seeks bail in connection with Buxar (Town) P.S. Case No. 91 of 2023 registered for the offence under Sections 25(1-b)a, 26 and 35 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in custody since 15.02.2023.

The allegation against the petitioner is to have in possession of one country made pistol along with one live cartridge.

Learned counsel appearing on behalf of the petitioner submitted that as petitioner found involved in 07 more criminal cases, where, he is on bail, out of suspicion arises due to said criminal antecedents, petitioner falsely implicated with present



case having otherwise no bearing over the merit of case. It is submitted that alleged recovery of firearm and cartridge also not appears from physical possession of petitioner. While concluding the argument, it is submitted that investigation of this case has completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above and by taking note of nature of accusation coupled with the fact that charge-sheet has already submitted, where, petitioner is in custody since 15.02.2023, let the petitioner, above named, is directed to be released on bail in connection with Buxar (Town) P.S. Case No. 91 of 2023, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Buxar/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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