

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43939 of 2023

Arising Out of PS. Case No.-61 Year-2022 Thana- BALIA BELON District- Katihar

RAHUL KUMAR Son of Pramod Poddar Resident of village - Naya Bazar
Maheshkhunt, P.S. - Maheshkhunt, Distt. - Khagaria, Present adress - Village
- O.T. Para, P.S. - Sahayak, Distt. - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajendra Prasad Sah

For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-07-2023 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 section 414 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of the Arms Act.

The prosecution case, in brief, is that the informant along with police personnel on patrolling duty, they arrested the petitioner along with co-accused persons who were on motorcycle. Upon search, one country made pistol as well as a mobile phone was recovered from possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. The petitioner has no concern with the alleged arms which was seized by the police. The alleged mobile phone which was recovered, belongs to the petitioner and motorcycle bearing reg. no. BR39AJ-7146 also belongs to his family members. It is further submitted that the petitioner has got no criminal antecedent and he is languishing in judicial custody since 8.6.2022.

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 custody period of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bali Belon P.S. Case No. 61 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 J.M. 1st Class, Katihar.

(Sunil Kumar Panwar, J)

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