

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40877 of 2023

Arising Out of PS. Case No.-36 Year-2023 Thana- KAMTAUL District- Darbhanga

Rakesh Kumar Kamat @ Raja Kamat Son Of Bauajee Kamat R/V Nikashi,
Ps. Kamtaul, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 19-07-2023 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 Kamtaul P.S. Case No. 36 of 2023 dated 02.03.2023 registered for the offences punishable u/s 25(1-b)a, 26 and 35 of the Arms Act.

As per the prosecution case, on seeing the police, the petitioner and the co-accused person started fleeing away but they were apprehended by the police and disclosed their names as the petitioner Rakesh Kamat and Salman. On search, one



loaded pistol, six live cartridges in magazine, two mobile phones and a knife were recovered from the possession of the petitioner and one loaded magazine containing five live cartridges and two mobile phones were recovered from the possession of the co-accused. Apart from this, two dongles, one mobile phone and Rs. 1,18,000/- were recovered from the car.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is accused in ten other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 03.03.2023

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, Darbhanga in connection with Kamtaul P.S. Case No. 36 of 2023, 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 bond of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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