

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44479 of 2023

Arising Out of PS. Case No.-179 Year-2023 Thana- NARHATT District- Nawada

RAJESH KUMAR @ GORE, Son of Raju Kumar Singh, Village- Par
Nawada, P.S.- Nawada, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N. A. Shamsi, Adv.

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 26-07-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Narhat P.S. Case No. 179 of 2023, dated 24.04.2023 registered
for the offences punishable under Section 414 of the Indian
Penal Code, Sections 25(1-b)a, 26 of the Arms Act and Sections
3/4 of the Explosive Substance Act.

3. The main submissions advanced by learned counsel
Mr. N. A. Shamsi appearing for the petitioner are that the instant
matter relates to the recovery of firearms, explosive materials
and other articles but the said recovery was admittedly made
from the house of one namely, Manzoor Alam and the said fact
finds place in the FIR itself and during interrogation the said
owner accepted his possession over the place of recovery and



petitioner has been dragged in this case mainly on account of his criminal antecedents of four cases but he has got bail in all the said cases from different Courts and in the present matter there is no legal evidence against the petitioner to connect him to the alleged recovered materials. Further submissions are that the petitioner has been languishing in jail since 09.05.2023 and against him the investigation has been completed.

4. Learned APP Mr. Uday Chand Prasad appearing for the State has opposed the prayer for bail but he has not pointed out any strong evidence against the petitioner.

5. Heard both the sides and perused the FIR and the order impugned. Though, the instant matter relates to the recovery of firearms, explosive materials and other objectionable materials but admittedly the recovery was made from the house of one namely, Manzoor Alam, who admitted his possession over the said house but he has not been made accused in this matter and while rejecting the prayer for bail of this petitioner the learned trial Court mainly placed reliance upon the confessional statements of this petitioner and co-accused persons recorded before the police and it is mentioned in the order impugned that no recovery of any incriminating material was made in following with those statements.



Considering these facts, the petitioner deserves to a lenient approach of this Court. Accordingly, let the petitioner named- above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Narhat P.S. Case No. 179 of 2023.

(Shailendra Singh, J.)

Maynaz/-

U		T	
---	--	---	--

