

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46175 of 2023**

Arising Out of PS. Case No.-863 Year-2022 Thana- HAJIPUR SADAR District- Vaishali

Rahul Kumar @ Kala Nag S/O Gabbar Paswan @ Satyanarayan Paswan R/O
Village- Chak Baladhari, Panapur Gaurahi, Ps. Hajipur Sadar, Dist. Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh

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

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 04-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 399/402/414 of the
Indian Penal Code and Section 25(1-b)a, 26 and 35 of the Arms
Act.

3. As per prosecution case, the informant receiving a
secret information that 5-7 miscreants are planning in the mango
orchard to loot, then the informant along with other police
personnel reached at that place, after seeing the police party the
miscreants started to flee away but two miscreants apprehended
and three managed to flee away. The apprehended miscreants
disclosed their name Chandan Kumar @ Bhola and Veeru



Paswan and on search, there has been recovery of one country-made pistol from the waist of co-accused Chandan Kumar, two live cartridges from co-accused Veeru Paswan and the police has recovered one motorcycle also.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner has not apprehended on spot. The name of the petitioner has come into light, on the basis of confessional statement of co-accused, who apprehended on spot. Nothing incriminating articles have been recovered from the conscious possession of the petitioner. He further submitted that the petitioner has been remanded in the present case from another case. He is languishing in judicial custody since 13.01.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the



satisfaction of the learned Court below in connection with
Hajipur Sadar P.S. Case No. 863 of 2022.

(Sunil Kumar Panwar, J)

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