

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.56095 of 2023**

Arising Out of PS. Case No.-152 Year-2023 Thana- RAJAPAKAR District- Vaishali

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GAURAV KUMAR @ BABLA Son of Vinod Kumar Rai @ Sadhu Ray R/o  
vill - Barua Bahuara, P.s. - Rajapakar, Baranti O.P., Distt. - Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Satya Prakash Sinha  
For the Opposite Party/s : Mr.Mukesh Kumar Singh

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

2      31-08-2023                      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 sections 399, 402, 413, 414 of the Indian Penal Code and Section 25(1-b)a, 26, 35 of the Arms Act.

As per prosecution case, the accused persons including the petitioner was apprehended on the spot while they were preparing for an offence and from possession of co-accused persons one live cartridge one loaded country made pistol, one motorcycle and one knife were recovered.

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



falsely been implicated in this case merely on the basis of suspicion. The petitioner has no concern with the alleged recovery nor from co-accused persons and nothing incriminating article has been recovered from his conscious possession rather some articles were recovered from co-accused persons. It is further submitted that the petitioner is languishing in judicial custody since 29.04.2023.

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 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 Rajapakar Baranti P.S. Case No. 152 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court.

**(Sunil Kumar Panwar, J)**

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