

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57647 of 2023

Arising Out of PS. Case No.-334 Year-2018 Thana- MUNGER MUFFASIL District- Munger

Shailendra Rajak @ Shivendra Rajak @ Shilendra Rajak Son Of Purusottam
Lal Rajak @ Umesh Resident Of Panchshil Nagar Holding No. L3/1, P.S. -
Gorakhpur, District - Jabbalpur, State - M.P.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uttam Kumar Mishra

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2.The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 121, 379, 414, 120(B) and 34 of the Indian Penal Code, Sections 25(1-A), 25(1-AA), 25(1-B)a, 26 and 35 of Arms Act and Section 39 of the U.A.P. Act.

3. As per allegation in the FIR, several accused persons including this petitioner are indulged in business of A.K. 47 with the help of their associates to Naxalites and other dreaded criminals. It is further alleged that at the instance of Amna Khatoon, two A.K.-47 were recovered from a pit in south-west corner of outer wall of graveyard.



4. 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 name of the petitioner came into light in this case on the basis of confessional statement of father of the petitioner before the police which has got no evidentiary value in the eye of law. Nothing incriminating article has been recovered from the conscious possession of the petitioner. Similarly situated several co-accused persons have already been granted bail by this Court vide order dated 04.09.2023. in Cr. Misc. No. 39011 of 2023 and order dated 24.05.2023 in Cr. Misc No. 27325 of 2023. Moreover, the petitioner is languishing in judicial custody since 17.11.2018.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. 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 Munger Muffasil P.S. Case No. 334 of 2018 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned A.D.J.- VII, Munger.

(Sunil Kumar Panwar, J)

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