

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57852 of 2022

Arising Out of PS. Case No.-247 Year-2022 Thana- HARSIDHI District- East Champaran

Rupesh Kumar S/O Mohan Singh, resident of Village- Harsidhi, Babu Tola,
P.O and P.S.- Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pravin Kumar, Advocate

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-02-2023 Heard the learned counsel for the
petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Harsidhi P.S. Case No.247 of 2022, registered for the offences punishable under Sections 413, 414 of the Indian Penal Code and Sections 25(1-b)a/26 of the Arms Act.

The allegation is regarding the police having apprehended the petitioner and upon search, one loaded country made pistol, one live cartridge and one motorcycle without registration number was recovered.

The learned counsel for the petitioner



has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 04.06.2022. The learned counsel for the petitioner has though tried to explain the recovery of motorcycle from the petitioner without registration number, but the same does not appear to be plausible.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that not only arms/ ammunition have been recovered from the petitioner, but a motorcycle had also been recovered without any registration number, though I am not inclined to grant the privilege of bail to the petitioner herein at the moment, however, I deem it fit and proper to direct for release of the petitioner on bail,



immediately upon framing of charges in the present case by the learned trial court, subject to such conditions as may be deemed fit and proper to be imposed by the learned court of Chief Judicial Magistrate, East Champaran, Motihari in connection with Harsidhi P.S. Case No.247 of 2022.

The petition stands disposed off with the aforesaid observations and directions.

(Mohit Kumar Shah, J)

kanchan/sonal-

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

