

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64499 of 2022**

Arising Out of PS. Case No.-336 Year-2022 Thana- RAHUI District- Nalanda

DEEPAK KUMAR @ HATEYA @ HATHI S/o Lalan Kumar @ Lalan Kumar
Singh R/o Village- Dihri Garh, P.O and P.S.- Harnaut, Distt- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 21-02-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Rahui
P.S. Case No. 336/2022 registered for the offence under
Sections 411 of the I.P.C. and Section 25(I-b)a, 26, 36 of Arms
Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 21.06.2022.

The allegation against the petitioner is to have in
possession of two live cartridges alongwith one mobile.

Learned counsel appearing on behalf of the petitioner
submitted that alleged recovery was not made from conscious



physical possession of this petitioner, It is also pointed out that to be in possession of two live cartridges without having possession of pistol is appears meaningless and apparently suggest that petitioner falsely implicated in present case. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above and by taking note of nature of accusation where petitioner is in custody since 21.06.2022, coupled with fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Rahui P.S. Case No. 336/2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Nalanda at Bihar Sharif/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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