

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63287 of 2022

Arising Out of PS. Case No.-91 Year-2021 Thana- KORHA District- Katihar

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Rahul Kumar @ Rahul Kumar Mandal S/O Dharmanand Mandal R/v-
Shitalpur Simaria, P.S.- Korha, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Pramod Kumar Pandey,APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-02-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

In the present case, the petitioner seeks bail in connection with Korha P.S. Case No.91 of 2021 registered for the alleged offences under Sections 25(1-B)a/26/35 of the Arms Act.

As per prosecution case, the petitioner was apprehended carrying a loaded country made pistol and one live cartridge along with co-accused Deepak Kumar.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case and nothing incriminating has been recovered from the person or possession of the petitioner. The petitioner was apprehended while he was coming from his field and in the way



the police stopped him and asked him to disclose the name of the people who indulged in manufacturing Mahua liquor and when the petitioner showed his inability the police implicated him in the present case. The petitioner is in custody since 24.02.2021 and charge sheet has been submitted.

Learned A.P.P. for the State opposes the prayer for bail submitting that the petitioner is having criminal antecedent and he is accused in one another case.

Perused the records.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the period of custody of the petitioner and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar/concerned court in connection with Korha P.S. Case No. 91 of 2021, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on



each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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