

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70485 of 2022

Arising Out of PS. Case No.-361 Year-2022 Thana- KUCHAIKOTE District- Gopalganj

Rakesh Kumar Baitha @ Rakesh Kumar Son of Suresh Baitha R/V- Naya
Tola, Daleya P.S- Kuchaikote, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Prasad, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-03-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Kuchaikote P.S. Case No. 361 of 2022 lodged under Sections
25(1-B)(a)/ 26(1) of the Arms Act.

As per the prosecution case, the total recovery of one
country made, one live cartridge and one knife have been made
from the possession of the petitioner.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Counsel
submits that antecedent of the petitioner is clean and he is in
custody since 17.08.2022.

Upon specific query from counsel for the petitioner that whether charge has been framed in this case or not, counsel submits that as per his knowledge, charge has not been framed in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present, therefore, his bail petition is hereby rejected.

But liberty is hereby granted to the petitioner that he may renew his prayer for bail, two months after framing of charge and the Trial Court is directed to release him on bail imposing its own conditions, so that he may not evade his appearance during trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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