

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67765 of 2023

Arising Out of PS. Case No.-61 Year-2022 Thana- SOHSARAI District- Nalanda

RISHABH KUMAR @ LUTUS @ LUTUS ARORA son of Rupesh Kumar
R/o- 29/C, New Staff Quarter, Block-C, Darbhanga House, PMCH
Sampatchak Ps- Pirbahore Pana

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivanand Singh

For the Opposite Party/s : Mr.Rita Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 31-10-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 399, 402 of the Indian Penal Code and Section 25(1-b)a, 26, 35 of Arms Act.

It is a case of assembling for commission of offence. Two co-accused persons Arvind Kumar @ Bhim Yadav and Dhananjay @ Bhopta were apprehended on the spot with incriminating weapons while four persons managed to escape. It is further alleged that on inquiry the accused persons disclosed the name of escaped persons including



petitioner and also disclosed that they assembled to commit dacoity in Ujjwal Jewelers situated at Sohsarai area.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case merely on the basis of suspicion due to previous criminal antecedent. Neither the petitioner was arrested on the spot nor anything has been recovered from his conscious possession. There is no material evidence to connect the petitioner in the present case. The other co-accused namely, Dhananjay @ Bhopta has already been enlarged on bail by this Bench vide order dated 13.04.2023 passed in Cr. Misc. No. 8304 of 2023. Moreover, the petitioner is languishing in judicial custody since 01.02.2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is



directed to be enlarged on bail in connection with Sohsarai
P.S. Case No. 61 of 2022 on furnishing bail bond of Rs.
10,000/- (Rupees ten thousand) with two sureties of the like
amount each to the satisfaction of the learned A.C.J.M.-IV,
Nalanda at Biharsharif.

(Sunil Kumar Panwar, J)

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