

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67969 of 2022

Arising Out of PS. Case No.-629 Year-2021 Thana- HARNAUT District- Nalanda

RAJU KUMAR S/o Kailash Ray R/o Village- Naya Tola, Sabnima, P.S.-
Athmalgola, Distt- Patna(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gyanendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 14-03-2023 Heard learned counsel appearing on behalf of the
parties.

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

The petitioner seeks bail in connection with Harnaut
P.S. Case No. 629 of 2021 registered for the offence under
Sections 414 of the Indian Penal Code and Sections 25(1-b)a, 26
and 35 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 08.09.2022.

The allegation against the petitioner is to have in
possession of stolen motorcycle and firearm along with other
co-accused person, namely, Babloo Singh @ Babloo Yadav.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner was not apprehended on spot and his name surfaced on the basis of disclosure made by co-accused, namely, Babloo Singh @ Babloo Yadav, from possession of whom one looted Apache motorcycle along with one loaded country made pistol was alleged to be recovered. It is submitted that admittedly no incriminating material recovered/surfaced, during course of investigation, from the possession of this petitioner. While concluding the argument, it is submitted that petitioner is found involved in 02 more criminal cases, where, he is on bail and moreover, investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as no incriminating material recovered/surfaced, during course of investigation, from possession of this petitioner, which may connect this petitioner, *prima facie*, with the present set of occurrence coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Harnaut P.S. Case No. 629 of 2021, on furnishing bail bond of Rs.10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Nalanda at Bihar Sharif/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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