

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70816 of 2023

Arising Out of PS. Case No.-550 Year-2022 Thana- GHORASAHAN District- East
Champaran

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RUPESH KUMAR Son of Shatrughan Chaudhary @ Shatrughan Prasad
Chaudhary R/o vill - Islampur Tola, P.s. - Dhaka, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prateek Tandon
For the Opposite Party/s : Mr.Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 25(1-b)a, 26, 25(a) and 27 of the Arms Act.

3. It is case of harsh firing on the occasion of birthday celebration of one Vijay Yadav but no one received injury by said firing.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case due to his past criminal antecedents. Neither the petitioner is named in the F.I.R. nor any allegation under Arms Act is



attributed against him. Nothing incriminating article has been recovered from his conscious possession and his name has come in this case on the basis confessional statement of co-accused Badal Yadav before the police which has got no evidentiary value in the eye of law. None of the independent witnesses have support the prosecution case against the petitioner. Petitioner is languishing in judicial custody since 26.04.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering 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 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IIIrd, Sikhrana at Dhaka, East Champaran at Motihari in connection with Ghorasahan P.S. Case No. 550 of 2022.

(Sunil Kumar Panwar, J)

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