

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68500 of 2022

Arising Out of PS. Case No.-375 Year-2020 Thana- GAIGHAT District- Muzaffarpur

RAMBHAROSH KUMAR S/O TAPESHWAR RAY Resident of village-
Jamalpur Kodai P.S.- Gaighat District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 399, 402, 414 of the Indian Penal Code, Section 20/22 of the N.D.P.S. Act and Section 25(1-b)a, 26, 35 of the Arms Act.

As per prosecution case, when the informant along with police personnel were on patrolling duty, they arrested two accused persons. On search, one loaded country made pistol, two live cartridge recovered from them and 5 kg Ganja was also recovered from the car Bearing Registration No. BR06-BR-4759. The apprehended persons disclosed the name of the petitioner as their associates.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. The name of the petitioner has been disclosed by co-accused persons who were apprehended on spot. It is further submitted that petitioner has also not been put on TI Parade. The petitioner has no concern with the alleged recovery of arms, ganja or with the vehicle in question. Moreover, he is languishing in judicial custody since 27.6.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Gaighat P.S. Case No. 375 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge, Muzaffarpur.

(Sunil Kumar Panwar, J)

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