

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1044 of 2023**

Arising Out of PS. Case No.-31 Year-2022 Thana- RAGHOPUR District- Supaul

RAJESH KUMAR @ RAJESH KUMAR YADAV Son of Shanichar Yadav  
R/v- Dahipauri, Ward No. 6, P.S.- Raghapur, District- Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Prafull Chandra Thakur

For the Opposite Party/s : Mr.Ram Sevak Choudhary

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

7      26-04-2023                      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 sections 399, 402, 414 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

As per allegation in the FIR, during patrolling duty, police apprehended five miscreants riding on two motorcycles without registration number and rest two miscreants succeeded in fleeing away. On search , one country made loaded pistol, one live cartridge, one mobile and Yamaha motorcycle without registration number were recovered from possession of the petitioner.

It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case due to his four criminal antecedents. No incriminating article has been recovered from possession of the petitioner rather the alleged recovered items is planted by the police to make the case grievous. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 10.10.2022 passed in Cr. Misc. No. 36780 of 2022. Petitioner is languishing in judicial custody since 21.01.2022.

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

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 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 ACJM-I, Birpur in connection with Raghopur P.S. Case No. 31 of 2022.

**(Sunil Kumar Panwar, J)**

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