

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76257 of 2023

Arising Out of PS. Case No.-253 Year-2023 Thana- BIBHUTIPUR District- Samastipur

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Rahul Kumar @ Radhe Jagdish Ray R/O Village- Chakhabid, P.S.-
Bibhutipur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mahendra Pratap

For the Opposite Party/s : Mr.Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-12-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 399, 402 of the Indian Penal Code and

Sections 25(1-B) a, 26, 35 of the Arms Act.

There is recovery of one loaded country made

pistol, two mobile phones and cash of Rs. 5000/- from

the possession of the petitioner.

It is submitted by learned counsel for the



petitioner that petitioner is innocent and he has falsely been implicated in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner claims the cash of Rs. 5000/- and two mobile phones to be his own property. The petitioner has no concern with the alleged seized country made pistol. The petitioner is languishing in custody since 15.07.2023. A statement has been made in para 3 of the petition that petitioner is accused in one other case apart from the present one.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Rosera, Samastipur in connection with



Bibhutipur P.S. Case No. 253 of 2023.

(Sunil Kumar Panwar, J)

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