

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18902 of 2023

Arising Out of PS. Case No.-136 Year-2022 Thana- CHAKIA District- East Champaran

RAKSHIT SHRIVASTAVA S/O- Subodh Shrivastava Mohalla- Bhag Nagar
Ps- Kalyanpur Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shambhu Narayan Singh

Mr. Suraj Kumar Tiwari

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-07-2023 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, 352, 353, 307, 34 of the Indian Penal Code and Sections 25(1-b)a, 26, 27, 35 of the Arms Act.

As per prosecution case, allegation against the petitioner is that he created hindrance in discharging the official duty of the police officials due to which repercussions happened and the petitioner sustained injury and apprehended on the spot in injured condition. It is further alleged that from his possession one country made pistol one magazine loaded with two live cartridges and one mobile were recovered and five live cartridges were also recovered beside the petitioner.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner being a member of mob, he has falsely been implicated in this case due to high handedness of the police officials. The petitioner has no concern with the alleged occurrence rather he sustained injury when the occurrence happened. It is further submitted that the petitioner is languishing in judicial custody since 05.04.2022.

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 as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Chakia P.S. Case No. 136 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari.

(Sunil Kumar Panwar, J)

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