

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11168 of 2024

Arising Out of PS. Case No.-216 Year-2023 Thana- SONBERSHA RAJ District- Saharsa

Rahul Kumar SON OF ASHOK YADAV RESIDENT OF VILLAGE-
SHAHPUR WARD NO. 4, PS- SONBARSA RAJ, DISTT- SAHARSA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Sonbarsa P.S. Case No. 216 of 2023 registered on 21.09.2023 lodged under Sections 399, 402 of the I.P.C. and Section 25(1-b)a, 26/35 of the Arms Act.

3. As per the prosecution case, F.I.R. has been lodged against eight named accused persons including the petitioner to whom allegation upon the petitioner is of recovery of one mis-fired cartridge along with one mobile phone.

4. Counsel further submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 21.09.2023 having one criminal case pending against him, in which he is on bail. Counsel further submits that



mis-fired arms may not be treated in Arms Act.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail *after framing of charge if the charge is not framed yet* and on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class in connection with Sonbarsa P.S. Case No. 216 of 2023, subject to the following conditions laid down under Section 437 (3) of the Cr.P.C.

(Dr. Anshuman, J)

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