

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14504 of 2024

Arising Out of PS. Case No.-858 Year-2023 Thana- SITAMARHI District- Sitamarhi

Rakesh Kumar @ Chhotu Son of Sonelal Rai Resident of Village- Jawahi,
P.S.- Sursand, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pushpendra Kumar Singh, Advocate
		Mrs. Divya Bharti, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 12-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sitamarhi P.S. Case no. 858 of 2023, registered under sections 399, 402 and 414 of the Indian Penal Code and sections 25(1AA), 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, the informant states that on receiving information about the accused persons having gathered and planning to give effect to an occurrence, it is stated that a raid was conducted. The petitioner was caught and from the possession of the petitioner a loaded country made pistol with a live cartridge was recovered.

4. Learned counsel for the petitioner submits that no



incriminating article has been recovered from the petitioner's possession who has been falsely implicated in the case. He is in custody since 15.11.2023 and has no criminal antecedent.

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

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the petitioner being in custody for about 4 months since 15.11.2023 and his not having any criminal antecedent, the petitioner is directed to be enlarged on bail in connection with Sitamarhi P.S. Case no. 858 of 2023, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi.

(Partha Sarthy, J)

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