

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15785 of 2024

Arising Out of PS. Case No.-76 Year-2023 Thana- RAHIKA District- Madhubani

RAHUL KUMAR @ SWITCH OFF @ RAHUL KUMAR CHAUDHARY
Son of Prem Chaudhary Resident of Village-Jagatpur, Uttarwaritol, Ward No.
4, P.S.-Rahika, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Prakash, Advocate
	:	Mr. Gagan Deo Yadav, Advocate
	:	Mr. Rakesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Arun Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Rahika
P.S. case No. 76 of 2023 instituted for the offences under
Sections 412 of the Indian Penal Code and 25(1-b)a, 26, 35 of
the Arms Act .

3. The prosecution case relates to the recovery of
mobile phone from this petitioner whereas arms were recovered
from other co-accused persons.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in the
present case. Nothing except the mobile phone has been



recovered from the conscious possession of the petitioner. Learned counsel further submitted that T.I.P. has not been conducted till date. Charge-sheet has been submitted in this case. Similarly situated co-accused person has already been granted bail by a Coordinate Bench of this Court vide order dated 29.08.2023 passed in Cr. Misc. No. 51102 of 2023. It has been submitted on behalf of the petitioner that the petitioner is in custody since 21.04.2023 and has five criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rahika P.S. case No. 76 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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