

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20885 of 2024

Arising Out of PS. Case No.-8 Year-2024 Thana- MADHEPUR District- Madhubani

Rupesh Kumar Paswan @ Bhola S/O- Bulbul Paswan @ Bul Bul Paswan
R/O- Village- Madhepur, P.S.- Madhepur, Dist.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

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

ORAL ORDER

2 20-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Madhepur P.S. Case No. 08 of 2024 instituted for the offence
under Sections 399 & 120(B) of the Indian Penal Code and
Sections 25(1-B), 26 & 35 of the Arms Act.

3. As per prosecution case, police on secret
information regarding assembly of anti-social elements who
were planning to commit loot reached on the place of the
occurrence, whereafter accused persons tried to flee away but
two of them were apprehended including the petitioner. It is
further alleged that one loaded country made pistol was
recovered from the possession of co-accused, Rajesh Kumar.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 15-01-2024. Petitioner is stated to be man of clean antecedent.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Nothing has been recovered from the conscious possession of the petitioner. Petitioner has no concern with the recovered arm. Charge sheet has already been submitted in this case. It is lastly submitted that there is no compliance of Section 100 of the Cr.P.C.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, clean antecedent of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. 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 Madhepur P.S. Case No. 08 of 2024.

(Rudra Prakash Mishra, J)

Raj kishore/-

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