

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27079 of 2024

Arising Out of PS. Case No.-574 Year-2023 Thana- CHAPRA MUFFASIL District- Saran

Raktu Ray @ Raktu Rai Son Of Late Vidya Ray @ Bidya Ray @ Late Bidha
Ray Resident Of Village- Chhotka Telpa, Gandhi Chowk, Ps- Town
(CHAPRA) Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghwendra Pratap Singh

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 353, 307 and 34 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 and 27 of Arms Act.

3. As per FIR, the petitioner was apprehended on the spot while he along with other was assembled to commit an offence. On search, two live cartridges, one knife and one mobile phone have been recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case due to highhandedness of the police. There is no independent witnesses of the seizure list rather they are police personnel. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 18.12.2023 in Cr. Misc. No. 81411 of 2023. Moreover, the petitioner is languishing in judicial custody since 28.07.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. 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 **after framing of charge if the charge is not framed** in connection with Chapra Muffasil P.S. Case No. 574 of 2023 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, Saran at Chapra.

(Sunil Kumar Panwar, J)

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