

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41936 of 2024

Arising Out of PS. Case No.-63 Year-2023 Thana- PIPRAKOTHI District- East Champaran

Rahul Singh @ Abhishek Kumar @ Mukhiya @ Rahul Singh Mukhiya Son of
Bachcha Prasad Thakur R/o Village - Khajuriya, P.S.- Govindganj, District -
East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-08-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in connection with Pipra Kothi P.S. Case No.63 of 2023, registered for the offence punishable under Sections 399, 402, 120(B) of the Indian Penal Code, 25(1-(1-A), 25(1-AA), 26/35 and 25(1-D) of Arms Act.

3. Allegedly, police apprehended co-accused Kunal Singh and from his possession recovered one foreign 9 mm loaded gun with 10 cartridges in it, 10 cartridges of 9 mm and one mobile phone was also seized. It is alleged that the apprehended person disclosed that he along with the petitioner bought the AK-47 rifle along with 25 cartridges and six walkie-talkie.

4. It is submitted by learned Senior Counsel for the



petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has been made accused in the present case merely because of the confessional statement of apprehended co-accused. There is no specific overt act against him. Petitioner was not apprehended on the spot and there is no recovery from the possession of the petitioner. Petitioner has ten criminal antecedent, which is mentioned in para-3 of the bail application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case as well as considering the nature of allegation, I am not inclined to enlarge the petitioner on bail. The prayer for grant of regular bail on his behalf, is hereby rejected.

7. This application is, accordingly, dismissed.

(Anjani Kumar Sharan, J)

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