

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52360 of 2024

Arising Out of PS. Case No.-294 Year-2023 Thana- KALYANPUR District- East Champaran

Rupesh Kumar Son Of Niranjana Kumar @ Niranjana Prasad @ Niranjana Bhagat Resident Of Village - Dharmaha, P.S. - Kesariya, District - East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Adv.

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

5 04-10-2024 Heard Learned Counsel for the petitioner and Learned APP for the State.

2. The petitioner is apprehending arrest in connection with Kalyanpur P.S. Case No. 294 of 2023 dated 21.08.2023, lodged under Sections 399, 402, 467, 468, 471, 120(B) of the Indian Penal Code read with sections 25(1-b)/a/26/35 of the Arms Act.

3. As per the prosecution, FIR has been lodged against 10 named accused persons including the present petitioner against whom there is an allegation that they assembled at Kaithwalia Hospital for committing *dacoity*, but five accused persons were apprehended and five accused persons were fled away. It is further alleged that from the apprehended accused persons, a country made pistol and live cartridges have been recovered.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that petitioner has not been apprehended from the place of occurrence and his name has been figured in this case only by virtue of the confessional statement of the co-accused. Counsel further submits that the criminal antecedent of the petitioner is clean.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. As such, considering the aforesaid facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M., 4th Motihari, East Champaran in connection with Kalyanpur P.S. Case No. 294 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dr. Anshuman, J)

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