

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57023 of 2024

Arising Out of PS. Case No.-1101 Year-2023 Thana- KHAJANCHI HAT District- Purnia

Rajesh Srivastava @ Rajesh Kumar Srivastava @ Rajesh Kumar, aged about 28 years, Male, Son of Shyam Kishore Srivastava @ Shyamal Kishor Srivastava, Resident of Village - Shastri Nagar, (Sheodham Colony), P.S. - K. Hat (Madhubani), District – Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

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

2. The petitioner seeks bail in connection with K. Hat (Madhubani T.O.P) P.S Case No.1101 of 2023 registered for the offence under Sections 399, 402, 379, 411, 413, 467, 468, 471 and 420 of the Indian Penal Code and Sections 25(1-b)a, 26/35 of the Arms Act.

3. As per the prosecution case, it is a case of recovery of one mobile phone, arms and ammunition from the possession of the petitioner and co-accused.

4. Learned counsel appearing on behalf of the



petitioner submits that petitioner has falsely been implicated in this case and no incriminating article has been recovered from the conscious possession of the petitioner. Petitioner had gone to purchase the Chicken from Poultry Farm of co-accused Karan and petitioner has no concern at all with other co-accused persons. He next submits that no recovery of alleged fire arm and ammunition from the possession of the petitioner. Petitioner is not arrested at the spot and his name has been surfaced only on the basis of confessional statement of co-accused Suresh Das. Petitioner is in custody since 13.06.2024.

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

6. Considering the facts and circumstances and submissions made on behalf of the petitioner that similarly situated co-accused persons namely Mukesh Kumar, Aulla Balram @ Ballu, Mahesh Das and Umesh Pradhan have been granted bail by this Court and co-ordinate Benches of this Court in Cr. Misc. Nos. 14924 of 2024, 13436 of 2024 and 37988 of 2024 vide orders dated 11.03.2024, 12.03.2024 and 22.05.2024, respectively, let the petitioner, above named, is directed to be released on bail in connection with K. Hat (Madhubani T.O.P) P.S. Case No. 1101 of 2023 on furnishing bail bonds of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like
amount each to the satisfaction of learned Chief Judicial
Magistrate, Purnea.

(Ramesh Chand Malviya, J)

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