

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73318 of 2024

Arising Out of PS. Case No.-49 Year-2024 Thana- JANTA BAZAR District- Saran

Rahul Rai @ Bakotan @ Rahul Raj, aged about 20 years, Male, S/o Ajay Rai,
R/o Village-Soniya, P.S.- Janta Bazar, District- Saran at Chapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ajay Kumar Tiwary, Advocate
For the Opposite Party : Mr. Zainul Abedin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 03-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Janta Bazar P.S. Case No. 49 of 2024 dated 29.03.2024 registered for the offences punishable under Sections 25(1B)a, 35 and 26 of the Arms Act.

3. As per the prosecution case, a country made katta and a live cartridge was recovered from the possession of the co-accused Dinay Rai @ Dinaj Rai who disclosed the name of the petitioner.

4. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner was not apprehended on the spot. His name has surfaced in the present case on the basis of the confessional statement of the co-accused Dinay Rai @ Dinaj Rai which has got no evidentiary value in the eye of law. No incriminating article has been recovered from the possession of the petitioner. He has no concern with the alleged offence. The other co-accused person, Dinay Rai @ Dinaj Rai, has already been granted bail by a Bench of this Court vide Cr. Misc. No. 43020 of 2024 under order dated 01.07.2024, annexed as Annexure-P/3 to the present bail petition. The petitioner has three criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 06.06.2024.

5.Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Saran at Chapra, in connection with Janta Bazar P.S. Case No. 49 of 2024.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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