

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76785 of 2023

Arising Out of PS. Case No.-63 Year-2023 Thana- SHYAMPUR BHATHAN District-
Sheohar

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Rupesh Kumar @ Golu Upadhyay S/O Subodh Upadhyay R/O Village-
Shahpur, P.S- Sheohar, Distt.- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 29-02-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Shyampur Bhathan P.S.
Case no. 63 of 2023 registered under sections 399, 402, 414 and
34 of the Indian Penal Code and sections 25(1-B)a, 26 and 35 of
the Arms Act.

3. As per the prosecution case, the informant states
that a secret information was received about the accused persons
having gathered along with various arms and planing to give
effect to an occurrence. On information having been received a
raid was conducted. While some accused persons managed to
escape, some of them including the petitioner herein were
caught. A loaded country made pistol with two live cartridges



were recovered from possession of the petitioner.

5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case because of his antecedents. No incriminating article has been recovered from his possession. He is in custody since 24.6.2023 and charge-sheet has been submitted in the case.

6. The application for bail is opposed by learned APP for the State.

7. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, the petitioner having remained in custody for eight months since 24.6.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Shyampur Bhathan P.S. Case no. 63 of 2023, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate- 1st Class, Sheohar.

(Partha Sarthy, J)

Harsh/-

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