

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83799 of 2023

Arising Out of PS. Case No.-646 Year-2023 Thana- FATEHPUR District- Gaya

Rahul Kumar, S/O Sanjay Kumar Resident Of Village- Hari Dutt Bigha, P.S.-
Fatehpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 21-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Fatehpur P.S. Case No. 646 of 2023, lodged on 30.08.2023
under Sections 395, 397 of the Indian Penal Code read with
section 27 of the Arms Act.

3. As per the prosecution case, FIR has been lodged
against two named and six unknown accused persons against
whom there is an allegation of committing *dacoity* in the FIR.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that the petitioner is neither been apprehended on
the place of the occurrence nor any allegation has been made
against him. Counsel further submits that the name of the



petitioner has been figured in this case only by virtue of confessional statement of the accused namely Manish Kumar. Counsel further submits that the criminal antecedent of the petitioner is clean and he is in custody since 05.09.2023.

5. Learned counsel for the petitioner submits that the petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him. Counsel further submits that charge-sheet has already been submitted in this case.

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

7. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named be granted bail, but only after framing of charge, if not framed** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-X, Gaya in connection with Fatehpur P.S. Case No. 646 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C.

(Dr. Anshuman, J.)

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