

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86218 of 2024

Arising Out of PS. Case No.-250 Year-2024 Thana- AMAS District- Gaya

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Rahul Kumar @ Bhola Son of Vinay Prasad @ Binay Singh Resident of
Village- Upardih, P.S. - Gurua, District -Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Javed Jafar Khan, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 17-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection Amas P.S.
Case No. 250 of 2024, instituted for the offences punishable
under Section 309(5) of the Bharatiya Nyaya Sanhita, 2023,
Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, the petitioner
along with other co-accused person forcibly tried to break door
of counter of Customer Service Centre which belongs to the
informant. On alarm, local people gathered at the spot and both
the accused persons were caught by the local people and police,
on search, a country-made pistol along with a live cartridge



have been recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that no any looted money has been recovered from the possession of the petitioner. It is further submitted that the petitioner has got no concern with the alleged recovery of arms. The petitioner is in custody since 30.07.2024 and has got three criminal antecedents in which he is on bail. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Amas P.S. Case No.
250 of 2024.

Rajorshi/-

(Rudra Prakash Mishra, J)

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