

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8929 of 2024

Arising Out of PS. Case No.-222 Year-2023 Thana- SULTANGANJ District- Bhagalpur

RAKESH CHOUDHARY S/O GANESH CHOUDHARY R/VILL-
SAKRULLAHCHAK , P.S- BABAGANJ, DISTT.- BHAGALPUR.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Adv.

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 03-04-2024 Heard learned counsel for the petitioner and
learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sultanganj P.S. Case No. 222 of 2023 dated 27.04.2023 registered for the offences punishable under Sections 414 read with 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, police raided the house of the co-accused and arrested the petitioner and the co-accused. On search, one live cartridge, one mobile phone, and two motorcycles were recovered from the



possession of the petitioner. It is further alleged that one *desi katta* and one live cartridge were recovered beneath the pillow of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The co-accused person has already been granted bail by this court vide order dated 18.10.2023 passed in Cr. Misc. No. 67773 of 2023. The petitioner has four criminal cases on which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 27.04.2023.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to 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 learned Court concerned, Bhagalpur in connection with Sultanganj P.S. Case No. 222 of 2023, with



the condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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