

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4552 of 2024

Arising Out of PS. Case No.-523 Year-2023 Thana- RAJAON District- Banka

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Fantoosh Yadav @ Kurwa @ Fantush, Son of Meghu Yadav, Resident of
Village- Korli Gopalpur, P.S.-Rajoun, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 31-01-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Rajoun P.S. Case no. 523 of 2023, registered under sections 341, 323, 379, 354, 504, 506 and 34 of the Indian Penal Code and sections 25(1-B)(a) and 26 of the Arms Act.

3. As per the prosecution case, the informant states that three named accused persons including the petitioner herein and two unknown accused started to misbehave with her. It is further stated that on the villagers reaching the place of occurrence, they caught hold of the petitioner, recovered a country made pistol and two live cartridges and handed over the same along with the petitioner to the police.

4. Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the case. No such occurrence as alleged by the informant has taken place. No incriminating article was recovered from the petitioner's possession and seizure of the same by the general public would have no value in the eyes of law. The petitioner is in custody since 11.10.2023.

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

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, his being in custody for more than 3 months since 11.10.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Rajoun P.S. Case no. 523 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 Chief Judicial Magistrate, Banka.

(Partha Sarthy, J)

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