

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88590 of 2024**

Arising Out of PS. Case No.-641 Year-2024 Thana- AMARPUR District- Banka

Rupesh Tanti, S/O Naresh Tanti, R/O Village- Rahimganj (Kulharia), P.S-
Amarpur, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandan Prasad, Advocate
For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Amarpur P.S. Case No. 641 of 2024, registered for the alleged offence under Sections 25(1-b) (a)/26/35 of the Arms Act.

3. As per prosecution case, police received secret information about four persons moving suspiciously on a pulsar motorcycle and the said motorcycle was intercepted and four persons tried to flee away from the spot, but the petitioner was apprehended and three persons fled away taking advantage of darkness. From the possession of this petitioner, recovery of country made loaded pistol with one cartridge was made. The motorcycle was also seized.



4. The learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person/possession of the petitioner. The recovery shown from the petitioner is planted and the motorcycle recovered belongs to co-accused Abhishek Kumar. The petitioner is having clean antecedent and he is in custody since 23.09.2024. The charge sheet has been submitted.

5. The learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances of the case and submissions made hereinabove and considering the period of custody of the petitioner along with submission of charge sheet and his clean antecedent, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Amarpur P.S. Case No. 641 of 2024, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

(i) One of the bailors will be a close relative of



the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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