

IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A. No.5869 of 2022

Rahul Mishra @ Rahul Sandailya Petitioner
Versus
The State of Jharkhand Opposite Party

CORAM: HON'BLE MR. JUSTICE GAUTAM KUMAR CHOUDHARY

For the Petitioner : Mr. Ankit Kumar, Adv.
For the State : Mrs. Snehlika Bhagat, A.P.P.

02/Dated: 30th May, 2022

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner has been made an accused in connection with Deoghar (Town) P.S. Case No.38 of 2022 corresponding to G.R. Case No.367 of 2022 registered under Sections 25(1-B)a, 25(1-A), 25(6), 26, 31 and 35 of the Arms Act and under Section 120(B) of the Indian Penal Code.
2. The prosecution is that on secret information a raid was conducted on 19.1.2022 in which this petitioner and other 12 were arrested with arms and ammunition. One 7.65 mm semi-automatic pistol with cartridges was recovered from this petitioner. He has criminal antecedent and is also involved in other cases.
3. It is submitted by the learned counsel for the petitioner that at the place of occurrence the petitioner was not present yet the police officials had implicated him with ulterior motive. Further, in the other criminal cases pending against him he has been granted bail in all the cases by the competent criminal court. It has been further submitted that one of the similarly situated co-accused namely Shivashish Kashyap @ Shibu has already been granted bail by a co-ordinate bench of this Court vide order dated 20.05.2022 passed in B.A. No.5353 of 2022. The petitioner is in judicial custody since 20.01.2022.
4. Counsel for the State has opposed the prayer for bail.
5. Considering the period of custody and the fact that one of the co-accused has already been granted bail, the petitioner named above, is directed to be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Deoghar in connection with Deoghar (Town) P.S. Case No.38 of 2022 corresponding to G.R. Case No.367 of 2022, subject to the condition that petitioner will deposit Rs.50,000/- (Rupees Fifty Thousand) as security deposit in the court below at the time of furnishing bail bond.

(Gautam Kumar Choudhary, J.)

Amar/-