

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19499 of 2019

Arising Out of PS. Case No.-251 Year-2018 Thana- EKMA District- Saran

Sonu Rai @ Niraj Kumar aged about 19 years (male) Son of Nagendra Rai,
Resident of Village-Chaturbhuj Chapra, P.S.-Baniapur, District-Saran
(Chapra).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Brij Kishor Mishra, Advocate
For the State : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 01-04-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 25(1-b)a, 26 and 35 of the Arms Act registered in connection with Trial No. 1668 of 2019 arising out of Ekma P.S. Case No. 251 of 2018 and subsequently, Section 414 of the Indian Penal Code was added.

3. It is submitted that the petitioner has been falsely implicated merely on the basis of extra-judicial confession of co-accused Krishna Kumar @ Sugna Kumar except which there is no material to connect the petitioner with the alleged occurrence. No recovery of any incriminating articles has been made from the possession of the petitioner, who claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, - 1st Chapra, District Saran in



connection with Ekma P.S. Case No. 251 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/-

(Vikash Jain, J)

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