

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26087 of 2019

Arising Out of PS. Case No.-432 Year-2018 Thana- MAHUA District- Vaishali

SONU KUMAR S/o Sudist Singh R/o village- Madhopur, P.S.- Mahua,
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 07-05-2019 Heard learned counsel for the petitioner and counsel
appearing on behalf of the State.

Petitioner seeks bail in connection with Mahua P.S.
Case No. 432 of 2018 for offences punishable under Sections
399, 402, 414 of the Indian Penal Code, Sections 25(1-B)a, 26II,
35 of the Arms Act and Sections 8(c), 20(b) (1)B of the N.D.P.S.
Act.

The prosecution case as lodged by the police
personnel is that on secret information that some persons are
planning to commit crime and have assembled, the police
conducted a raid and found 8-9 persons standing there with
three motorcycles. On seeing the police, 3-4 persons managed to



flee away on two motorcycles but the petitioner along with other co-accused were apprehended. On search from the possession of other co-accused some Ganja and country made pistol with cartridge was recovered but from the possession of the petitioner nothing has been recovered.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent, nothing was recovered from his conscious possession and petitioner was apprehended from open place, he had no concern with the other co-accused and is languishing in judicial custody since 08.12.2018. He submits that some co-accused from whose possession contraband item and arms and ammunition were recovered has already been granted the privilege of bail by a coordinate Bench of this Court and the petitioner is languishing in judicial custody for nearly five months.

However, learned APP for the State opposes the prayer for bail.

Considering the nature of allegations, period of custody and that petitioner does not bear any criminal antecedent as stated in para-3 of the present application, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like



amount each to the satisfaction of the learned Sessions Judge,
Vaishali at Hajipur in connection with Mahua P.S. Case No. 432
of 2018.

(Nilu Agrawal, J)

devendra/priyanka

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