

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7427 of 2020

Arising Out of PS. Case No.-226 Year-2019 Thana- SONBERSA District- Sitamarhi

RAGHUNATH RAY S/o Late Prabhans Ray Resident of Village- Sonbarsa,
P.S.- Sonbarsa, Distt- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 02-03-2020 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Sonbarsa P.S. Case No. 226/2019 registered under Sections 25(1-b)a, 26/35 of the Arms Act.

Learned counsel for the petitioner submits that allegation against the petitioner that he had fled away when the third person was being checked and had attempted to flee after giving a push to the Chief Constable. Learned counsel submits that it is evident from the F.I.R. itself that prior to that the petitioner had been checked by the Constables and nothing incriminating was found from his possession. Learned counsel further submits that on the



statement of the apprehended accused, from whose possession arm was recovered, the petitioner has been brought in this case as also that the petitioner has got no criminal antecedent.

Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case and the submission of learned counsel for the petitioner that though the allegation against the petitioner that he had fled away when the third person was being checked and had attempted to flee after giving a push to the Chief Constable, but it is evident from the F.I.R. itself that prior to that the petitioner had been checked by the Constables and nothing incriminating was found from his possession and only later on, on the statement of the apprehended accused, from whose possession arm was recovered, the petitioner has been brought in this case as also that the petitioner has got no criminal antecedent, let the above-named petitioner, in the event of his arrest/surrender before the court below within a period of four weeks, be enlarged on bail furnishing bail bond of Rs.



15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – IV, Sitamarhi, in connection with Sonbarsa P.S. Case No. 226/2019, subject to condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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