

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19394 of 2020

Arising Out of PS. Case No.-368 Year-2019 Thana- BIDUPUR District- Vaishali

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SUNNY KUMAR @ SANNI KUMAR Son of Akhilesh Ray Resident of
Village - Majhauli, P.S.- Bidupur, District – Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Anand

For the Opposite Party/s : Mr. Abhay Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 15-09-2020 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State, through video

conferencing.

The petitioner seeks regular bail in connection with
Bidupur Police Station Case No. 368 of 2019, registered for the
offence punishable under Sections 399/402/413/414 of the
Indian Penal Code and Sections 25(1-b)a/26/35 of the Arms Act.

The allegation against the petitioner is that the police,
on the basis of secret information that some miscreants are
moving on motorcycles, constituted a raiding party and
proceeded towards the station road and intercepted two
motorcycles with five miscreants and arrested the petitioner and
other accused persons, along with stolen motorcycle. Upon
search, a loaded country made pistol with live cartridge and one



Oppo mobile have been recovered from the possession of the petitioner.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case with oblique motive. He further submits that the petitioner has been remanded in other criminal cases after being arrested in the present case on the basis of confessional statement of co-accused Kunal Kumar. He further submits that the petitioner is in custody since 20.09.2019.

On the other hand, learned Additional Public Prosecutor, referring to the case diary, submits that the petitioner has been made accused in seven other criminal cases, in which he has been remanded and his accomplice, Kunal Kumar, has disclosed the name of the petitioner, who was involved in seven other cases, prior to the present case.

After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioner has been remanded in seven other cases by the police after the petitioner was arrested in the present case, I am inclined to grant regular bail to the petitioner, **after framing of charge against the petitioner.**



This application is allowed.

Accordingly, let the petitioner, above named, be released on bail, **after framing of charge against him**, upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali, at Hajipur, in connection with Bidupur Police Station Case No. 368 of 2019.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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