

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19405 of 2020

Arising Out of PS. Case No.-205 Year-2017 Thana- BHELDI District- Saran

SONU RAI Son of Jamun Rai Resident of Village - Kishopur, P.S.- Vaishali,
Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shakti Suman Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-09-2020 This matter is taken up for consideration through
Video Conferencing under the orders of Hon'ble the Chief
Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Bheldi P.S. Case No. 205
of 2017, registered for the offence punishable under Sections
399, 402 of the Indian Penal Code and sections 25(1-b)a, 26 and
35 of the Arms Act and section 30(a) of the Excise Act.

It is alleged that on secret information raid was
conducted. Three accused persons were apprehended by the
police who disclosed their names as Raju Kumar Sahani,
Abhimanyu Mahto @ Manua and Sonu Kumar and from their
possession arms and ammunitions were recovered by the police.



It is submitted on behalf of the petitioner that petitioner has been falsely implicated in this case. Petitioner is not named in the FIR. Name of this petitioner has surfaced in this case on the basis of confessional statement of co-accused Abhimanyu Kumar Mahto. No arms and ammunitions have been recovered from possession of this petitioner. Save and except, confessional statement of co-accused, there is nothing against this petitioner. Co-accused Abhimanyu Kumar Mahto has been granted bail by this court vide order dated 23.04.2018 passed in Cr. Misc. No. 27338 of 2018. Petitioner is in custody since 13.02.2020 having clean antecedent.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to 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 Special Judge, Excise, Saran at Chapra in connection with Bheldi P.S. Case No. 205 of 2017, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates



without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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