

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24390 of 2020**

Arising Out of PS. Case No.-666 Year-2019 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

=====

SUMANT KUMAR Son of Subodh Singh @ Subodh Kumar Singh Resident
of Village- Jihuli, P.S.- Patahi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 13-11-2020 Heard Mr. Ajay Kumar Thakur, learned counsel for

the petitioner and Mr. Nawal Kishore Prasad, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with Sadar
P.S. Case No. 666 of 2019 registered for the offences punishable
under Sections 25(1-b)a and 26 of the Arms Act.

The allegation as per the First Information Report is
that the Police during course of investigation of Sadar P.S. Case
No. 665 of 2019, arrested the petitioner from his village and
recovered cash and a Motorcycle from his possession and on the
basis of his confession, his associates were also arrested. It has
further been alleged that the Police, thereafter, raided the rented



house of the petitioner situated in the house of one Vikash Kumar and recovered Rs.7,000/- cash, one country made pistol with six live cartridges in its magazines and in another magazine six live cartridges.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case after his arrest in Sadar P.S. Case No. 665 of 2019 registered under Section 395 of the Indian Penal Code. Learned counsel further submits that the petitioner has been granted regular bail in Sadar P.S. Case No. 665 of 2019 by a co-ordinate Bench of this Court vide order dated 19.06.2020 passed in Cr. Misc. 20393 of 2020 and he is in custody in the present case since 14.11.2019 i.e. for about one year registered under the Arms Act. Learned counsel also submits that at the time of search and seizure in the alleged rented premises of the petitioner, he was not present and nothing has been recovered from his conscious possession.

Having heard learned counsel for the parties and taking into consideration the materials on record and the fact that petitioner is in custody since 14.11.2019 i.e. for about one year, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be



released on regular bail on furnishing bail bonds of Rs.20,000/-
(Twenty thousand) with two sureties of the like amount each to
the satisfaction of learned Additional Chief Judicial Magistrate
IX, Muzaffarpur, in connection with Sadar P.S. Case No. 666 of
2019 on the following conditions:-

(i) that the petitioner shall fully co-operate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bonds of the petitioner.

(ii) that both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(iii) that the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

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

(Anil Kumar Sinha, J)

S.Ali/-

U		T	
---	--	---	--

