

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34048 of 2020

Arising Out of PS. Case No.-990 Year-2019 Thana- SONEPUR District- Saran

SUKHARI RAI @ RAJA BABU son of Awadhesh Ray Resident of Village-
Manpur, Police Station- Sonapur, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kumar Yadav

For the Opposite Party/s : Mr.Chandrasen Pd. Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 22-12-2020 Heard learned counsel for the parties.

This application for grant of regular bail arises out of Sonapur P.S. Case No. 990 of 2019 disclosing offences punishable under Sections 399,402 and 412 of the Indian Penal Code and Sections 25(1-b) a/26/35 of the Arms Act.

On the basis of secret information received by the police in respect of location of persons involved in organized crimes, a police party had conducted raid, leading to arrest of six miscreants including the petitioner. On search, from possession of some of them fire arms were recovered. From the petitioner's possession a mobile phone, a power bank and some cash was recovered. Allegedly, there is a confessional statement recorded by the police to the effect that a scooty was stolen,



which was given to the petitioner by co-accused Govind Kumar and was parked in the petitioner's poultry farm. The scooty was seized from the said place.

Learned counsel appearing on behalf of the petitioner has submitted that the petitioner is in custody since 04.12.2019 and if what is alleged, is taken to be true, at the maximum an offence punishable under Section 411 of the Indian Penal Code can be said to be made out.

Considering the fact that the petitioner is in custody since 04.12.2019 and there is no apparent allegation of his involvement in commission of offence except for receiving a concealing stolen property, this application is allowed.

Let the petitioner above-named be released 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 Chief Judicial Magistrate, Saran at Chapra in Sonapur P.S. Case No. 990 of 2019.

(Chakradhari Sharan Singh, J)

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