

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76968 of 2019

Arising Out of PS. Case No.-271 Year-2019 Thana- DEEPNAGAR District- Nalanda

RAJA KUMAR Son of Prakash Mistry Resident of Village - Kanchanpur,
P.S.- Deepnagar, Distt - Nalanda. At present resident of Village - Bakra, P.S.-
Pawapur (O.P. Giriyak), Distt - Nalanda

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Sinha
For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-01-2020 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner in the present case is seeking regular bail in connection with Deepnagar P.S. Case No. 271 of 2019, G.R. - 5130/2019 registered under Sections 25(1-b)a, 26, 35 of the Arms Act and Section 30(A) of the Bihar Prohibition & Excise Act, 2016.

Learned counsel for the petitioner submits that there is no recovery of fire-arm or ammunition from the possession of this petitioner and that the only allegation against him is that he was also found along with the co-accused, however, the petitioner has remained in custody since 14.09.2019.



Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case and the submission of learned counsel for the petitioner which has not been controverted by learned A.P.P. for the State saying that there is no recovery of fire-arm or ammunition from the possession of this petitioner and that the only allegation against him is that he was also found along with the co-accused and that the allegation that they had assembled with an intention to commit a crime, the petitioner has remained in custody since 14.09.2019 and the investigation against him is complete, let the above-named petitioner be released 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 3rd Additional District & Sessions Judge – cum – Special Judge (Excise), Nalanda at Biharsharif, in connection with Deepnagar P.S. Case No. 271 of 2019, G.R. - 5130/2019, subject to the condition as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance



with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such 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 or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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