

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 747 of 2020

Arising Out of PS. Case No.-306 Year-2019 Thana- BALIYA District- Begusarai

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MONU KUMAR RAI @ PRAVIN KUMAR RAI S/o Maheshwar Rai
Resident of Village- Sadanandpur, P.S.- Balia, District- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hare Krishna Prasad
For the Opposite Party/s : Mr.Anil Kumar

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 **18-01-2020** Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Balia Police Station (for
brevity, *PS*) Case No 306 of 2019 instituted for the offence
punishable under Section (s) 25 (1-B) A, 26 of Arms Act.

Since 11.08.2019, petitioner is in custody in the instant
case. Allegation is that when the informant proceeded to
investigate presence of an accused of Balia PS Case No 288 of
2019 near a Milk Centre, the petitioner started fleeing away. It
is alleged that he was apprehended and one loaded country
made pistol and one live cartridge was recovered from him.
Learned counsel for the petitioner submits that it is a case of
false implication. Recovery is denied and it is submitted that



the same is in violation of procedure prescribed under Section 100 of Criminal Procedure Code. Further submission is that petitioner is already on bail in Balia PS Case No 288 of 2019.

Learned APP for the State opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Begusarai in connection with Balia PS Case No 306 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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