

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13954 of 2021**

Arising Out of PS. Case No.-278 Year-2019 Thana- LALGANJ District- Vaishali

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ARUN RAI @ ARUN RAY S/o Late Yugeshwar Rai R/o village- Jahanabad,
P.S.- Lalganj, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Sinha

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

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 01-07-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Lalganj P.S. Case No. 278
of 2019, registered for the offence punishable under Sections
414/34 of the Indian Penal Code and sections 25(1-b)a/26/35 of
the Arms Act.

On secret information that two bike borne miscreants
fled away after firing towards Lalganj, on such information,
informant and others reached at the place of occurrence where
one Manish Kumar disclosed that Arun Kumar (petitioner)
along with co-accused Shatrughan Sahni both came on Apache
motorcycle and surrounded him and Vikash made two firing



from his pistol, but the same did not hit them. Thereafter, informant along with other police personnel went to the village of accused at Jehanabad Ghat and on seeing the police party, both the accused fled away leaving the motorcycle taking advantage of darkness. Upon search of the Apache motorcycle, one loaded country made pistol and a live cartridge were recovered. The people disclosed the name of the miscreants who fled away as Arun Rai (petitioner) and Shatrughan Sahani.

It is submitted on behalf of the petitioner that nothing has been recovered from possession of this petitioner and the said recovery has been made Apache motorcycle. Petitioner was not apprehended on the spot. Petitioner is in custody since 30.06.2020.

Considering the facts and circumstances of the case and the fact that no arms and ammunitions were recovered from conscious possession of the petitioner and period of custody, 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 Additional Chief Judicial Magistrate IXth, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 278 of 2019, 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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