

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29646 of 2021**

Arising Out of PS. Case No.-146 Year-2020 Thana- BALIGAON District- Vaishali

SURAJ KUMAR S/O VISHWANATH RAY R/o village- Nirpur Kushahi,
P.S.- Patepur, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh
For the Opposite Party/s : Mr. A.P.P.

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 09-12-2021

Heard.

The petitioner seeks regular bail in connection with Baligaon P.S. Case No. 146 of 2020 for the offence punishable under Sections 399, 402, 414/34 of the Indian Penal Code and sections 25(1-b)a, 26, 35 of the Arms Act.

The allegation is regarding recovery of one country made pistol and one live cartridges from the person of the petitioner while he was apprehended and searched by the police.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 24.12.2020. The learned counsel for the petitioner has further submitted that the petitioner has already been suitably punished on account of his incarceration.



Per contra, the learned APP appearing for the State has vehemently opposed the prayer for regular bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-16, Vaishali at Hajipur in connection with Baligaon P.S. Case No.146 of 2020.

(Mohit Kumar Shah, J)

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