

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30171 of 2021**

Arising Out of PS. Case No.-8 Year-2020 Thana- DESARI District- Vaishali

=====

Sunny Kumar @ Sanni Kumar S/O Nawal Rai @ Nawal Kishore Ray @
Nawal Kishore Rai R/O Village-Lakhanpur Tal, P.S.-Desari, District-Vaishali.
... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Smt.Rina Sinha

For the Opposite Party/s : Mr.Amit Kumar Rakesh

=====

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

2. 12-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Desari P.S. Case No. 08 of 2020, registered for the offence under Section 120(B) of the Indian Penal Code and Sections 25(1-b)a/26/35 of the Arms Act.

On a secret information that some miscreants have assembled near Jogibaba Asthan, a raid was conducted and one miscreant namely Rahul Kumar was apprehended and upon search, one country-made pistol and two live cartridges were recovered from his possession. Upon inquiry, co-accused Rahul Kumar disclosed the name of petitioner and others, who fled away from there.

It is submitted on behalf of petitioner that no arms or ammunition was recovered from the possession of the petitioner and only on the basis of confessional statement of co-accused



Rahul Kumar, petitioner has been made accused. No incriminating article has been recovered from the possession of the petitioner and petitioner is in custody since 20.08.2020. Chargesheet has already been submitted.

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

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned A.C.J.M.-IV, Vaishali at Hajipur in connection with Desari P.S. Case No. 08 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

anay

U		T	
---	--	---	--

