

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31066 of 2021

Arising Out of PS. Case No.-839 Year-2020 Thana- ARA NAWADA District- Bhojpur

Chandan Kumar Rai @ Chandan Rai Son of Ramakant Ray Resident of
Mohalla- Bishnu Nagar, Ara, P.S.- Ara, Nawada, District- Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar, Advocate
For the Opposite Party/s : Mr. Umeshnand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

2 13-12-2021 The applicant/accused in Crime No. 839 of 2020
registered with Ara Nawada Police Station for the offences
punishable under sections 25(1-b)a, 26 and 35 of the Arms Act.
by this application is seeking his release on bail during
pendency of the trial.

Heard the learned counsel for the applicant. He
submits that the investigation of the crime in question is already
over and the applicant is entitled to bail. The learned APP
opposed the application by contending that the offence is
serious.

I have considered the submission so advanced and
also perused the material placed before me. According to the
prosecution, the Police Officer, Sanjeev Kumar received secret
information that Suman Rai and his associates have gathered



near the railway line for committing some offence. That is how they all came to be apprehended by the police squad. From possession of the applicant, a country made pistol with a loaded bullet came to be seized.

The investigation of the crime in question is already over. Hence, further pre-trial detention of the applicant is not warranted as no overt act is attributed to the applicant. Therefore, the order.

The application is allowed.

The applicant/accused in Crime No. 839 of 2020 registered with Ara Nawada Police Station is directed to be released on bail on executing P.R. Bond of Rs. 20,000/- (Twenty Thousand) on furnishing sureties of the like amount to the satisfaction of the trial court with the following conditions:-

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer. The applicant should not repeat the offence again.

(II) The applicant/accused should not repeat the trial in expeditious disposal of the trial against him.

(III) The applicant to remove all office objections



forthwith and the Registry to issue bail-writ as per this order
only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

Ravi/-

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