

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33517 of 2021

Arising Out of PS. Case No.-269 Year-2019 Thana- BELA District- Sitamarhi

PREM KUMAR Son of Sharvan Rai Resident of Village - Bangraha, P.S.-
Bajpatti, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Rai, Advocate

For the Opposite Party/s : Ms. Meena Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-12-2021 Heard Mr. Raja Ram Rai, learned counsel for the

petitioner and Ms. Meena Singh, learned Additional Public

Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with Bela
P.S. Case No. 269 of 2019 registered for the offences punishable
under Sections 399, 402, 411 of the Indian Penal Code 1860,
Sections 25(1-b)a, 26 and 35 of the Arms Act.

The allegation as per the First Information Report is
that the Police on the basis of secret information arrived at the
place of occurrence and upon seeing the Police party the
accused persons started fleeing away. However, the Police
arrested three persons and from their possession one Mobile
phone, Motorcycle and the firearms with live cartridges were
recovered and the name of the petitioner has been disclosed by



the arrested co-accused persons.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case merely on the basis of disclosure of his name by the arrested co-accused persons. Learned counsel further submits that no incriminating material and/or firearm has been recovered from the possession of the petitioner and the arrested co-accused persons from whose possession firearm and other articles were recovered, have been granted bail by this Court as well as co-ordinate Bench of this Court in Cr. Misc. 23602 of 2020 and 24566 of 2020 respectively. He next submits that the petitioner is in custody since 12.11.2020 and charge sheet has already been submitted.

Regards being had to the submission made by the parties and taking into consideration the materials on record and the fact that similarly situated co-accused persons have been granted bail, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Pupri, Sitamarhi, in connection with Bela P.S. Case No. 269 of



2019 subject to the condition that the petitioner shall remain present on each and every date during the course of trial and in case of default on two consecutive dates on the part of the petitioner, his bail bond shall be liable to be cancelled.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

S.Ali/-

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

