

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38469 of 2021

Arising Out of PS. Case No.-368 Year-2020 Thana- MANJHI District- Saran

SUMIT SINGH Son of - Late Brij Kishor Singh Arjun Sah Resident of
Village- Ekdegna, P.S.- Manjhi, District- Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-12-2021 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in connection Manjhi P.S. Case no. 368 of 2020 registered for the offence punishable under sections 399,402 of the Indian Penal Code read with sections 25(1-b)a, 25aa, 26 and 35 of the Act and section 30(a) of Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 5.1.2021, is person with clean antecedent and charge sheet has been submitted. Learned



counsel submits that from perusal of the allegation as alleged in the FIR, it would manifest that the informant alleges that he got secret information that accused persons had assembled in the house of Sumit Singh (petitioner) for committing crime, accordingly, house was raided and it is alleged that the petitioner along with another co-accused fled away and named accused persons were apprehended from the house and from whose possession arms and ammunitions were recovered. It is further alleged that from the house of petitioner 7.62 bore of SLR, 2 banned live cartridges of .38, 2 live cartridges of .32 and 105 liter liquor was recovered. Learned counsel submits that petitioner was not apprehended at the place of occurrence and it was not his own house rather it was a house in which all his cousin were also staying that it was joint property house and as far as allegation of recovery is concerned, same was not made in his presence and petitioner is person with clean antecedent.

Learned APP opposes the prayer for bail.

Considering the facts that petitioner is in jail custody since 5.1.2021 and charge sheet has been submitted and nothing has been recovered from his possession, petitioner is directed to be released on bail on furnishing bail bonds of Rs 20,000/- (twenty thousand) with two sureties of the like amount each to



the satisfaction of the ADJ II-cum-Special Judge, Excise Act,
Saran at Chapra in Manjhi P.S. Case no. 368 of 2020.

(Satyavrat Verma, J)

s.hassan/-

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