

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8118 of 2021

Arising Out of PS. Case No.-279 Year-2020 Thana- KADAMKUAN District- Patna

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Suraj Kumar Son of Late Rampravesh Singh Resident of Munnackhak, P.S.-
Patrakar Nagar, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ansul
Mr. Anuj Kumar
For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-04-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Kadamkuan P.S. Case No. 279 of 2020, registered for the offence under Sections 25(1-B)A, 26, 27, 35 of the Arms Act.

As per the prosecution case, a secret information was received by the police that a birthday party of one Ankit Sinha is being celebrated on the roof of his house and some miscreants with pistol have gathered there and all are continuously making celebratory firing. On the said information, a raid was conducted and nine accused persons including this petitioner were arrested from the building, where the alleged incident was going on and from the room of this petitioner, two pistols with magazine were recovered.

It is submitted on behalf of the petitioner that



petitioner is decorator of flowers and had gone there to demand his money for decoration. No arms has been recovered from the possession of the petitioner. Petitioner claims clean antecedent and he is in custody since 03.07.2020.

Considering the fact that no arms has been recovered from the possession of the petitioner coupled with the fact that petitioner has got clean antecedent, the bail application 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 Chief Judicial Magistrate, Patna in connection with Kadamkuan P.S. Case No. 279 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.)

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