

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7177 of 2022**

Arising Out of PS. Case No.-271 Year-2021 Thana- BALIYA District- Begusarai

Sonu Kumar Sons Of Rajniti Rai R/O Village- Mathurapur, P.S.- Balia,  
District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Yogendra Kumar, App

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

2      15-06-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

Let the defect(s), if any, be removed within four  
weeks from today.

The petitioner seeks regular bail in connection with  
Balua P.S. Case No. 271 of 2021 instituted for the offences  
punishable under Sections 379, 461, 511, 411, 413 and 34 of the  
Indian Penal Code and Sections 25(1-B)A, 26 and 35 of the  
Arms Act.

Learned counsel for the petitioner submits that the  
petitioner is in custody since 23.08.2021, is a person with clean  
antecedent and charge-sheet has been submitted in the case.

The prosecution case in short is that when informant  
received information of theft in his mobile shop, he reached



there and found that three persons after breaking his shop shutter, entered into his shop and committing offence of theft and then with the help of local people, he caught one co-accused while other co-accused persons were successful in fleeing away. It is further alleged in the F.I.R. that on quarry the apprehended accused disclosed his name as Sonu Kumar and from his possession, one country made pistol with five live cartridges and one mobile was recovered.

Learned counsel for the petitioner submits that the petitioner was produced by the informant as well as local people with arms and motorcycle and no incriminating articles as well as arms have been recovered by the police, therefore, Section 379 of the Indian Penal Code and Section 25 1(B)(A), 26 and 35 of the Arms Act is not made out against the petitioner.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 23.08.2021, charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Balia



P.S. Case No. 271 of 2021.

**(Khatim Reza, J)**

Gaurav Kumar/-

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