

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13709 of 2022**

Arising Out of PS. Case No.-735 Year-2021 Thana- KANTI District- Muzaffarpur

Shankar Rai S/O- Faujdar Ray Resident Of Village- Harchanda, P.S.- Kanti
(Panapur O.P.), District- Muzaffarpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey
For the Opposite Party/s : Mr. Tapeswar Sharma

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 08-04-2022 The learned counsel for the petitioner is permitted to
make rectification in Para-1 of the bail application by Tuesday.

Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 272, 273 of the Indian Penal
Code, Section 25(1-b)a, 26 of the Arms Act and Section 30(a) of
the Excise Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 21.11.2021, he is a person with
clean antecedent and charge-sheet has been submitted in this
case.

Allegation is of recovery of 02 litre of liquor, one
country-made pistol, one gun and some other articles from the



house of the petitioner.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. The house is a joint family property and the police has falsely alleged about recovery of gun and one country-made pistol. The learned counsel further submits that petitioner has remained in custody for nearly more than five months.

The learned counsel submits that petitioner is a person with clean antecedent and even presuming what has been alleged against him is true, then it is his first offence and if the petitioner remains in custody, he will come in contact with criminals which may affect him adversely.

Learned A.P.P. opposes the bail application.

Considering the fact that the petitioner is in custody, he is a person with clean antecedent, charge-sheet has been submitted in this case and taking into consideration the submission of learned counsel for the petitioner that it is his first offence, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Kanti (Panapur O.P.) P. S.



Case No.735 of 2021, subject to condition that one of the bailors shall be the father of the petitioner namely, Faujdar Ray. Further, if it comes to the notice of the learned Court below that petitioner has been involved in a case of similar nature, the learned Court below shall forthwith cancel his bail bonds.

The application stands allowed.

(Satyavrat Verma, J)

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