

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32724 of 2022

Arising Out of PS. Case No.-440 Year-2021 Thana- TAJPUR District- Samastipur

SAROJ RAY ALIAS SAROJ KUMAR Son of Bachan Ray Resident of
Village-Harpur Bhindi, Police Station-Tajpur, District-Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection with
Tajpur P.S. Case no. 440 of 2021 instituted for the offence under
Sections 25(1-B)a, 26, 27, 35 of the Arms Act.

As per allegation in the FIR, when the informant was at
his shop in the meantime four miscreants came on two
motorcycles and started firing but the informant and his staffs
saved narrowly themselves. It is further alleged that one live
cartridge and two empty cartridges were recovered from the place
of occurrence.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no



offence. During investigation the name of the petitioner has been disclosed in this case on confessional statement of other co-accused persons namely, Vicky Ray who was apprehended in another case. There is no proper evidence found of his complicity in this case against the petitioner. It is further submitted that neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession.

Learned APP appearing for the state has opposed the prayer of anticipatory bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Tajpur P.S. Case no. 440 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Samastipur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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