

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43176 of 2021

Arising Out of PS. Case No.-45 Year-2021 Thana- SIWAN MUFFASIL District- Siwan

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SURAJ KUMAR SON OF RAGHUNATH SAH Resident of Village -
Rampur, P.S.- Siwan Muffasil, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Adv.

For the Opposite Party/s : Ms.Anita Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-01-2022 The instant case 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 the learned counsel for the petitioner and Ms. Anita Kumari Singh, the learned APP for the State.

The petitioner seeks regular bail in connection with Siwan Muffasil PS case no. 45 of 2021 instituted for the offences punishable under Sections 399, 402 of Indian Penal Code and 25(1-b)a, 26, 35 of Arms Act.

The allegation is regarding recovery of one live cartridge from the pocket of the petitioner after he was intercepted by the police and search was made.

The learned counsel for the petitioner has submitted



that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody 02.02.2021. The learned counsel for the petitioner has further submitted that the petitioner has been roped in the present case merely on the basis of suspicion.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Chief Judicial Magistrate, Siwan in connection with Siwan Muffasil PS case no. 45 of 2021.

(Mohit Kumar Shah, J)

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