

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46351 of 2021

Arising Out of PS. Case No.-839 Year-2020 Thana- ARA NAWADA District- Bhojpur

Suman Rai S/O Umesh Ray R/o Mohalla- Jagdev Nagar, P.S.- Ara Nawada,
District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Pandey, Adv.
For the Opposite Party/s : Ms. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-02-2022 Heard.

The petitioner seeks regular bail in connection with Ara Nawada P.S. Case No. 839 of 2020, registered for the offence punishable under sections 25(1-b)a/26/35 of the Arms Act.

The case of the prosecution in brief is that on the basis of secret information, a raid was conducted by the police near the railway line situated at Maharana Pratap Nagar and five persons were arrested from the spot. As far as the petitioner is concerned, one country made pistol and one live cartridge was recovered from his possession, upon search being made by the police.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case. It is further



submitted that the petitioner has been made an accused in the present case on account of his bad criminal antecedent, however, he has been granted bail in two cases out of the three other criminal cases pending against him. It is further submitted that similarly situated co-accused persons have already been granted bail by a co-ordinate Bench of this Court vide orders dated 08.12.2021 and 30.12.2021 passed in Cr. Misc. No. 25994 of 2021 and Cr. Misc. No. 31066 of 2021, respectively.

Per contra, Ms. Anita Kumari Singh, the learned APP 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 parties and taking into account the materials available on record as also considering the fact that similarly situated co-accused persons have already been granted bail by a co-ordinate Bench of this Court, apart from the fact that the petitioner is languishing in custody since more than one year, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is



directed to be released on bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of C.J.M., Bhojpur, Ara in connection with Ara Nawada P.S. Case No. 839 of 2020.

(Mohit Kumar Shah, J)

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