

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47523 of 2022

Arising Out of PS. Case No.-138 Year-2021 Thana- KANKARBAG District- Patna

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Suraj Rai @ Suraj Kumar Son of Ram Krishna Rai R/o Gauripur, Ward No. 10, P.S- Singheshwar, Dist- Madhepura, At present residing at C/O Bindu Singh, H. No. A/328, P.C Colony, P.S- Kankarbagh, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mohammad Minnatullah, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 05-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Kankarbagh P.S. Case No. 138 of 2021 lodged under Sections
25(1-b)/A/26/35 of Arms Act.

As per prosecution, the present case has been filed
against 3 named accused persons including the present
petitioner. The recovery of 2 live cartridges and Mobile Number
with duo Sim have been made from the possession of the
petitioner.

Learned counsel for the petitioner submits that

petitioner is in custody since 05.02.2021. He also submits that there is three criminal cases pending against him in which he is on bail and charge-sheet has already been filed in this case. Learned counsel further submits that the other two accused persons have already been granted bail by the Co-ordinate Bench of this Court vide orders dated 28.09.2021 and 04.01.2022 passed in Cr. Misc. No. 31198 of 2021 and 36671 of 2021 respectively.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of Court of learned S.K. Jha, J.M. 1st, Class, Patna in connection with Kankarbagh P.S. Case No. 138 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of

his bail bond.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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