

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48791 of 2022

Arising Out of PS. Case No.-115 Year-2022 Thana- SUPPI District- Sitamarhi

1. Sunil Kumar Singh Son Of Ram Pavitra Singh R/O Village- Dheng Ward No.-2, P.S.- Suppi, District- Sitamarhi
2. Meena Kumari Wife Of Sunil Kumar Singh R/O Village- Dheng Ward No.-2, P.S.- Suppi, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mr. Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 09-11-2022 Heard Ld. counsel for the petitioners and Ld. APP
for the State.

The petitioners seek bail in connection with Suppi
P. S. Case No. 115 of 2022, registered for the offences
punishable under Sections 201, 120B/34 of the Indian
Penal Code, Sections 25(1-b)a/26/35 of the Arms Act,
Section 3 / 4 of explosive Substance Act and Section 30 (a)
of Bihar Prohibition and Excise Act.

As per allegation, one country-made pistol, five
packets of bomb, 13 blank cartridges and 7.8 liters of Nepali
Saufi liquor were also recovered from the house of the



aforesaid accused-petitioners.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case on account of ill motive and grudge. He further submits that the whole allegation is false, fabricated and concocted. He also submits that the petitioners have no role in concealment of fire arms and ammunitions. Even as per FIR, the wife of the deceased herself has stated that on account of fear she had concealed the illegal arms by which her husband had committed suicide for which there is separate UD case registered.

The petitioners have been languishing in jail since 08.05.2022.

It is also stated in paragraph no. 2 of the petition that the petitioners have never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 that the petitioners have no criminal antecedent.

However, the learned APP for the State vehemently opposes the prayer of the petitioner for bail.



Considering the aforesaid facts and circumstances, the petitioners, above-named, are directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Ld. Exclusive Special Excise Court-1, Sitamarhi/Concerned Court in connection with Suppi P. S. Case No. 115 of 2022 on the following conditions:

(i) The petitioners will make themselves available for interrogation by a police officer/court as and when required.

(ii) The petitioners will undertake that investigation/trial will not hamper on account of their absence or non-cooperation. They must be available to the police or the court whenever their presence is required.

(iii) The petitioners shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.



(iv) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, the learned court below shall cancel the bail bond of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioners.

The application stands allowed accordingly.

The learned counsel for the petitioners is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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