

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62357 of 2021

Arising Out of PS. Case No.-256 Year-2021 Thana- DARIYAPUR District- Saran

TARUN RAI Son of Ladu Rai Resident of Village - Banwaripur, P.S.-
Dariyapur, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rajani Kumari, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 399, 402 of the Indian Penal
Code read with Sections 25(1-B)a, 26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 03.06.2021, charge-sheet has been
submitted and has antecedent of five cases.

Allegation is of recovery of a country made pistol
along with six live cartridges from the petitioner.

Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case
because of his antecedent. Nothing was recovered from the



possession of the petitioner and even assuming what has been alleged is true without admitting the same for the purposes of bail, the thrust of allegation is under the Arms Act and there is no allegation that the petitioner committed an occurrence.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody and charge-sheet has been submitted, let the petitioner above named be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with S.Tr. No. 407 of 2021 arising out of Dariyapur P.S. Case No. 256 of 2021, subject to the condition that one of the bailors shall be father (Ladu Rai) of the petitioner.

(Satyavrat Verma, J)

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