

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27349 of 2023

Arising Out of PS. Case No.-890 Year-2022 Thana- DIGHA District- Patna

1. Munni Kumari Wife Of Sujeet Kumar Ray @ Kariva Resident Of Village-Karbigahiya, Near Jakkanpur, Police Station, P.S-Jakkanpur, District-Patna, Bihar
2. Raushan Kumar Son Of Kamaldeo Ray Resident Of Village-Nakta Diyara, P.S-Digha, District-Patna, Bihar

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Akshay Ashish, Advocate
For the Opposite Party	:	Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 25-05-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek bail in connection with Digha P.S. Case No. 890 of 2022, dated 21.12.2022, instituted for the offences punishable under Sections 353, 216/34 of the Indian Penal Code and Section 25(1-b)a/26/35 of the Arms Act.

3. The case of prosecution, in short, is that informant team raided the house of petitioner No. 2 on the basis of information that fugitive criminal namely Sujeet Rai (husband of the petitioner No. 1) has been there and apprehended both the petitioners. It is further alleged that one country-made pistol and five live cartridges have been recovered from the conscious possession of petitioner No. 2 and one country-made pistol,



three live cartridges and five mobile phones were recovered from the bed of petitioner No. 1.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have falsely been implicated in this case. It is submitted that nothing has been recovered from the conscious possession of the petitioners and search and seizure has not been prepared as per the Section 100 of the Code of Criminal Procedure. It is further submitted that petitioner No. 1 is a lady, she was earning her livelihood from her teaching job through private tuition. Lastly, it has been submitted that the petitioners are in custody since 21.12.2022, have no criminal antecedent and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M – XIII, Patna, in Digha P.S. Case No. 890 of 2022.

(Khatim Reza, J)

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