

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31398 of 2023

Arising Out of PS. Case No.-656 Year-2022 Thana- PARSABAZAR District- Patna

SONU KUMAR @ SWAYAM RANA S/O JANG BAHADUR SINGH R/O
Village- Bardih, P.S- Phulwariya, Distt.- Begusarai, At present residing at 70
feet Road, Radha Krishna Mandir Pakri, P.S- Beur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amish Kumar, Advocate Mr.Shankar Kumar Choudhary, Advocate
For the Opposite Party/s :		Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-06-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner is in judicial custody in connection
with Parsa Bazar P.S. Case No.656 of 2022 instituted under
Section 25(1-b)a/26/35 Arms Act lodged on 28.11.2022 by the
informant Sanjeev Mauar.

As per the prosecution story, the police who is the
informant alleges that during the vehicle checking the accused
persons were intercepted on the ground of suspicion, some
accused persons gave their names as Nitish Singh, Rahul Kumar
and Manish Kumar. Further, upon search from their person live
cartridge, mobile as also firearms were recovered. The further
allegation in the FIR is that upon query they named this
petitioner to be the source who supplied the pistol and cartridge



to them. Accordingly, the present petitioner was interrogated who accepted the version of the accused persons. Accordingly, the FIR.

Learned counsel for the petitioner submits that his name has come in the confessional statement of the accused persons and further any statement made before the police have no evidentiary value. The last submission is that he is in jail since 28.11.2022 (as stated in para-15 of the bail application).

Learned APP opposes the prayer for bail.

Considering the aforesaid facts that his name has come in the confessional statement, has already remained in custody for eight months, FIR lodged, ultimately will have to face the music, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Parsa Bazar P.S. Case No.656 of 2022 to the satisfaction of learned Judicial Magistrate, Ist Class, Patna , subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;



(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /-

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