

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35980 of 2023

Arising Out of PS. Case No.-536 Year-2022 Thana- ARA NAGAR District- Bhojpur

Naval Kumar Soni son of Munilal Resident of Village- Shivganj, PS- Ara
Nagar, district- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 24-06-2023 Let the defect(s), if any, be removed within two weeks
from today.

2. Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

3. The petitioner seeks regular bail in connection with
Ara Nagar P.S. Case No. 536 of 2022 dated 16.06.2022, lodged
under Sections 147, 148, 149, 302, 307, 120(B) of the I.P.C.
read with Section 27 of the Arms Act.

4. As per the prosecution case, the F.I.R. has been
lodged against five named accused persons in which, name of
the petitioner is not there.

5. Learned counsel for the petitioner submits that the
name of the petitioner has figured in this case by virtue of the
confessional statement of the co-accused. Counsel further

submits that out of five named accused persons, two persons were granted bail by the Co-ordinate Bench of this Court vide order date 18.05.2023 and 24.05.2023 passed in Cr. Misc. No. 24483 of 2023 and Cr. Misc. No. 26156 of 2023 respectively. Counsel further submits that the antecedent of the petitioner is clean and he is in custody since 08.02.2023 in which charge-sheet has already been filed.

6. Learned counsel for the State opposes the prayer for bail.

7. Learned counsel for the informant vehemently opposes the prayer for bail and submits that the case of the present petitioner is different from the case of the co-accused persons, whose bail has been granted. The co-accused have been granted bail on the ground of custody as the present petitioner is in custody since 08.02.2023, whereas the co-accused persons who have been granted bail were in custody since 10.08.2022. But he admits that he is not named in the F.I.R.

8. In the present facts and circumstances of this 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 learned A.D.J. Bhojpur at Ara in

connection with Ara Nagar P.S. Case No. 535 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

9. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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