

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34419 of 2023

Arising Out of PS. Case No.-4 Year-2023 Thana- PATEPUR District- Vaishali

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SANNI KUMAR SINGH @ SURAJ KUMAR S/O SRI SUJEET KUMAR
SINGH R/O Village- Malpur, P.S- Patepur, Distt.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Purushottam Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is an accused in connection with Patepur P.S. Case No. 04 of 2023 registered for the offences under sections 25(1-b)a and 26 of the Arms Act lodged on 03.01.2023 by the informant, Ram Shankar Kumar.

As per the prosecution story, the informant got information that named accused of Patepur PS. Case No. 03/2023 namely Sanni Kumar Singh @ Suraj Kumar is going to Tajpur. On this information, the informant alongwith other police personnel reached Tajpur Chowk at 5.50 A.M. and saw that one person is trying to hide himself. On suspicion, he was caught by the police, who disclosed his name as Sanni Kumar Singh @ Suraj Kumar (the petitioner herein). On interrogation,



he confessed that he has kept the arms which he has used in the murder of Shubham Kumar relating to the Pateur PS Case No. 3 of 2023 near the Kandohia bridge of Malpur village. Thereafter, the informant reached Kandohiya Pool with Sanni Kumar Singh @ Suraj Kumar and recovered one country made pistol and one empty cartridge. Accordingly, the present FIR.

It has been submitted by the learned Counsel for the petitioner that only to substantiate the Patepur P.S. Case No. 03 of 2023 which was lodged relating to killing of Shubham Kumar, the present Patepur P.S. Case No. 04 of 2023 was lodged implicating him under sections 25(1-b)a and 26 of the Arms Act. It has been further submitted that in the Patepur P.S. Case No. 03 of 2023, he will be ultimately facing the consequences.

Learned APP for the State, on the other hand, opposes the prayer for bail stating that the matter relates to two FIR's lodged against the petitioner and the present one is in continuation of the Patepur P.S. Case No. 03 of 2023. He further submits that so far as the present case is concerned, it relates to the recovery/seizure of the country made pistol and one empty cartridge.

Taking into account the aforesaid fact/submission of



the learned Counsel for the petitioner as also that he is in custody since 04.01.2023 (as stated in paragraph-15 of the bail application) and the case relates to alleged recovery of firearm/cartridge, 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/- (Ten Thousand) with two sureties of like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Vaishali at Hajipur in connection with Patepur P.S. Case No. 04 of 2023, subject to the 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 month for next one year 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 his 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.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

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