

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36056 of 2023

Arising Out of PS. Case No.-795 Year-2022 Thana- BARH District- Patna

1. SONU KUMAR S/O PRAMOD KUMAR R/O Village- Nauranga Jalalpur, P.S.-Maranchi (Pachmahla O.P), Dist.-Patna
2. SAURAV KUMAR S/O SATISH SINGH R/O Village- Nauranga Jalalpur, P.S.-Maranchi (Pachmahla O.P), Dist.-Patna
3. SHUBHAM RAJ @ SHUBHAM KUMAR S/O AJAY SINGH @ AJAY KUMAR R/O Village- Nauranga Jalalpur, P.S.-Maranchi (Pachmahla O.P), Dist.-Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmod Kumar, Adv.
For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-06-2023 Heard Mr. Pramod Kumar, learned counsel for the petitioners and Dr. Indihar Kumari, learned Additional Public Prosecutor for the State.

2. Petitioners seek regular bail in connection with Barh PS Case No. 795/2022 dated 06.12.2022 registered for the offence punishable under Sections 25(1-b)a/26/30/35 of the Arms Act.

3. The police, during course of investigation of Patliputra PS Case No. 822/2022 wherein the present petitioners including others were accused, raided a hotel and recovered some incriminating articles, mobile phones and a pistol from the possession of co-accused, Bablu Kumar @ Babli.

4. Learned counsel for the petitioners submits that no fire-arm has been recovered from the possession of the petitioners and from perusal of the FIR, it would be evident that



only mobile phones have been recovered from the possession of each of the petitioners. Learned counsel further submits that for the recovery of mobile phones and the pistol, seizure list has been prepared by the police in Patliputra PS Case No. 822/2022 but a separate FIR has been lodged in connection with same incident in order to harass the petitioners. The petitioners had been granted bail by the court below itself in Patliputra PS Case No. 822/2022. The petitioners have been remanded in this case from Patliputra PS Case No. 822/2022 on 16.03.2023 and since then they are in custody.

5. Regards being had to the submissions made by the parties, taking into consideration the nature of allegation against the petitioners and non recovery of fire-arms from their possession, I am inclined to grant regular bail to the petitioners.

6. Accordingly, let all the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Barh in connection with Barh PS Case No. 795/2022.

(Anil Kumar Sinha, J)

perwez

U		T	
---	--	---	--

