

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44231 of 2023

Arising Out of PS. Case No.-5 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

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RAJ KUMAR SON OF UDAY NARAYAN SAHNI R/O VILLAGE-
CHHATOUNI, P.S.- TARIYANI, DISTRICT- SHEOHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mrs.Nirmala Kumari

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

- 2 26-07-2023 1. Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.
2. Heard learned counsel for the petitioner and learned A.P.P. for the State.
3. The petitioner has preferred this application for grant of regular bail in connection with Hajipur Sadar P.S. Case No. 05 of 2020 dated 3.1.2020 registered for the offence punishable u/s 25(1-b)a of the Arms Act and u/s 52 of the Prisoners Act.
4. As per the prosecution case, the police in search



operation, is alleged to have recovered some live cartridges and empty cartridges from General Ward No. 3 of Jail Hospital and a pistol recovered from the premises of Ward No. 6 of the hospital. The aforesaid search operation was conducted in light of the incident in which under trial prisoner Manish Kumar was killed by another prisoner.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. The petitioner is accused in one more criminal case as stated in para 3 of the bail petition. The petitioner has been remanded in judicial custody in this case on 22.10.2022 from Sadar Hajipur P.S. Case No. 04 of 2020.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned Court
concerned, Vaishali at Hajipur in connection with Hajipur
Sadar P.S. Case No. 05 of 2020.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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