

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44922 of 2023

Arising Out of PS. Case No.-42 Year-2023 Thana- DEEPNAGAR District- Nalanda

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SANNI KUMAR @ SUNNY KUMAR, S/O- Ramanand Prasad@
Ramanandan Yadav, R/O Village- Nagwan, P.S.- Deepnagar, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Chandra, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 27-07-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Deepnagar P.S. Case No. 42 of 2023, dated 23.01.2023
registered for the offences punishable under Sections 25(1-b)a,
26 and 35 of the Arms Act.

3. The main submissions advanced by learned
counsel Mr. Anil Chandra appearing for the petitioner are that as
per prosecution's allegation, one loaded country-made rifle is
stated to have been recovered from the possession of this
petitioner and one live cartridge is stated to have been recovered
from the possession co-accused Bittu Kumar who has been
granted bail by a co-ordinate Bench of this Court vide order
passed in Cr. Misc. No.31959 of 2023 and as per the FIR, the



alleged recovery was made at a turn of a road where several villagers gathered but any of them was not made the witness of the alleged search and seizure and two police officials have been made the witnesses of the seizure and accordingly there is no independent witness of the alleged recovery of the firearm and moreover the petitioner has been languishing in jail since 24.01.2023 and against him, the investigation has been completed. Further submissions are that there is criminal antecedent of one case against this petitioner in which he is on bail and he is a very young person.

4. Learned APP Mr. Rajesh Kumar appearing for the State has opposed the prayer for bail.

5. Having regard to the facts and circumstances of this case and considering the above submissions, this Court is inclined to accept the petitioner's prayer for bail. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Deepnagar P.S. Case No. 42 of 2023.

(Shailendra Singh, J.)

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