

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 57442 of 2022

Arising Out of PS. Case No.-39 Year-2022 Thana- SAKSOHRA District- Patna

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SUNIL KUMAR SON OF BALMIKI PASWAN R/O VILLAGE- ANDAULI,
P.S.- SAKSOHRA, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Ashok Kumar Kashyap, Advocate

For the Opposite Party/s : Mr Uday Chand Prasad, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 18-01-2023

Heard learned counsel for the petitioner and learned Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioner seeks bail in Saksohra Police Station (for brevity, **PS**) Case No 39 of 2022 registered for the offence punishable under Sections 25 (1-b) a, 26 of Arms Act.

The petitioner was allegedly apprehended while in possession of three live cartridges. On his interrogation, a country made pistol and two live cartridges have been recovered from his room.

It is submitted by the petitioner's counsel that on account of his antecedents, he has been implicated in this case with alleged recovery of arms which was planted in his room. He has been in custody since 03.06.2022. He is on bail in the other two cases, as per disclosure made in paragraph 3 of the bail application.

Learned APP has opposed the prayer for bail.

Having considered the rival submissions, manner of recovery, nature of allegation and the fact that investigation is complete, this Court, for the purposes of grant of bail, is inclined to



accept the submissions advanced by the petitioner’s counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, First Class, Barh, Patna in Saksohra PS Case No 39 of 2022 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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