

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62108 of 2023**

Arising Out of PS. Case No.-71 Year-2021 Thana- MATIHANI District- Begusarai

Vikki Kumar @ Kundan Ray @ Kunal Ray, Son Of Sanjay Mahto @ Sanjay Ray Resident Of Village- Simariya Ghat, Bind Toli, P.S. Barauni, District- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Ramakant Akela, Advocate

For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

- 2 15-09-2023 1. Heard learned counsel for the petitioner and the learned APP for the State.
2. Petitioner seeks regular bail in connection with Matihani P.S. Case No. 71 of 2021 dated 03.06.2021 registered for the offences punishable under Sections 25(1-AA)/25(1-B)/A/26 and 35 of Arms Act.
3. This is second attempt of the petitioner for the relief of regular bail after his earlier attempt for the said relief was rejected by this court vide order dated 20.02.2023 passed in Cr. Misc. No. 12486 of 2022 preferred by this petitioner.
4. The main submissions advanced by learned counsel for the petitioner are that the petitioner has been languishing in



jail since 04.06.2021 and till date the trial of the petitioner has not started and charges have not been framed upon him and his case is running for supplying of the police paper which shows the initial stage of the petitioner's case and in the earlier rejection order the petitioner was given liberty to renew his bail prayer after six months from the date of that order, if any significant progress in his trial is not made and thereafter a period of more than six months has elapsed. It is further submitted that though against the petitioner, there are criminal antecedent of 12 cases but he has got bail in all the said cases and so far as the allegation made against this petitioner in the present matter is concerned the recovery of the alleged firearms was not made from the possession of this petitioner rather the same was made from the house of co-accused Rubi Devi.

5. Learned APP appearing for the State has opposed the bail prayer.

6. Considering the above submissions and mainly petitioner's custody period and also, the initial stage of petitioner's case as mentioned above, this court is now inclined to accept the bail prayer of the petitioner. Accordingly, let the petitioner be released 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 Matihani P.S. Case No. 71 of 2021.

(Shailendra Singh, J)

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