

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63154 of 2022

Arising Out of PS. Case No.-412 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

Saurav Kumar, S/O Sikandra Singh, R/O Village- Ratanpur Ward No- 21, P.S-
Nagar, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 20-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

In the present case, the petitioner seeks bail in connection with Begusarai Nagar P.S. Case No. 412 of 2022 registered for the alleged offences under Sections 385 and 427 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 and 27 of the Arms Act.

As per prosecution case, a raid was conducted at the identified place by the police on receiving secret information about assembly of some notorious criminals who have been named in this case as co-accused. During the raid, the petitioner and co-accused Sanjiv Kumar were arrested and from the possession of the co-accused Sanjiv Kumar, a loaded country made *katta*, from unloading of which a cartridge were recovered



apart from a mobile phone. From this petitioner two mobile phones were recovered. Further allegation against the petitioner and other co-accused persons is that they used to demand extortion money and on non-payment of the said amount, they used to threaten the persons from whom extortion money was demanded.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. Recovery of country made *katta* is made from co-accused Sanjiv Kumar. Allegedly recovered two mobile phones from the petitioner are not stolen property and they belong to this petitioner. It is apparent from the FIR, co-accused Prince Kumar and Shyam Kumar are veteran criminal and they were wanted in Naar P.S. Case No. 311 of 2022 but the petitioner is not an accused in the said case. The petitioner is in custody since 13.07.2022 and charge-sheet has been submitted. The petitioner has got no criminal history.

Learned APP opposes the prayer for bail submitting that the petitioner is named in the FIR and was arrested from the spot.

Having regard to the facts and circumstances and



submissions made on behalf of the parties and considering the fact that nothing incriminating has been recovered from the petitioner and further considering the period of custody of the petitioner along with submission of charge-sheet as well as his clean antecedent, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Begusarai in connection with Begusarai Nagar P.S. Case No. 412 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

balmukund/-

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

