

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66926 of 2022

Arising Out of PS. Case No.-488 Year-2022 Thana- DARIYAPUR District- Saran

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Kristo Rai @ Kisto Rai Son Of Vipat Ray R/V- Dharmanghat (Dharmagat),
P.S.- Dariyapur, Dist- Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 28-02-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks regular bail in connection with Dariyapur P.S. Case No. 488 of 2022 registered for the offences punishable under Sections 467, 468, 471, 472, 420, 413 and 414 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of the Arms Act.

As per the prosecution, the police personnel on a secret information apprehended this petitioner and co-accused person and from the possession of the co-accused recovered a loaded country-



made pistol, a motorcycle and a mobile phone.

The main submissions advanced by petitioner's counsel are that as per the FIR, at the initial stage from the possession of the petitioner nothing incriminating was recovered and one loaded country-made pistol is said to have been recovered from the possession of co-accused Prince Kumar who was apprehended with this petitioner, he has been granted bail by the Court below itself and in following with the statement made by the said co-accused Prince Kumar the house of the petitioner was raided and a motorcycle is stated to have been recovered but in respect of the said motorcycle there is no any FIR and the petitioner has been languishing in jail since 27.08.2022 having fair and clean antecedent.

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

Considering the aforesaid facts and mainly the privilege of bail having been granted to co-accused Prince Kumar by the Court below and in view of the allegation made in the FIR the petitioner's case stands on better footing from the said co-accused Prince Kumar, in my view it is a fit case for bail to the petitioner. 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 Dariyapur P.S. Case No. 488
of 2022.

(Shailendra Singh, J.)

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