

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67442 of 2023

Arising Out of PS. Case No.-137 Year-2017 Thana- CHAPRA MUFFASIL District- Saran

Suraj @ Suraj Kumar @ Baba Son Of Rameshwar Prasad, Resident Of
Village- Katharibagh, Ps- Chapra Town, Distt- Saran

... .. Petitioner/S

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avnish Kumar Singh, Adv.

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Chapra Muffasil P.S. Case No. 137 of 2017 dated 15.04.2017
lodged under Sections 413, 414, 34 of the I.P.C. read with
Section 25(1-b)a /26(3)/ 35 of the Arms Act.

3. As per the prosecution case, the F.I.R. have been
lodged against 6 named accused persons including the present
petitioner against whom there is allegation of commission of
crime in connivance with each other.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He submits
that the petitioner has not been apprehended from the place of
occurrence rather his name has figured in this case by virtue of
apprehended accused persons from whose possession, the arms
has been recovered.

5. Counsel further submits that the petitioner's name

has figured in this case at the instance of the police due to the reason that antecedent of the petitioner is not clean. There are 3 criminal cases pending against the petitioner.

6. Counsel for the petitioner submits that petitioner is in custody is since 03.08.2023 and in all the three cases, he is on bail.

7. Learned counsel for the State opposes the prayer for bail and submits that petitioner’s antecedent is not clean, and therefore, this aspect may be taken into consideration.

8. In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected.

9. However, liberty is hereby granted to the petitioner that he may renew his prayer for bail after framing of charge and trial court is directed to release him on bail after framing of charge imposing condition so that he may not evade his appearance during trial.

(Dr. Anshuman, J.)

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