

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67778 of 2022

Arising Out of PS. Case No.-224 Year-2022 Thana- SANGRAMPUR District- Munger

SAURAV KUMAR @ CHHOTU @ CHHOTU KUMAR SON OF
PRADEEP SINGH @ PRADIP KUMAR SINGH R/O VILL.- BARSANDA,
P.S.- SANGRAMPUR, DISTT.- MUNGER

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Shweta Anand, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 26-04-2023 Heard Ms. Shweta Anand, learned counsel for the
petitioner and Mr. Bharat Bhushan, learned APP for the State.

The petitioner is an accused in connection with Sangrampur P.S. Case No. 224 of 2022 registered for the offences under section 414 of the Indian Penal Code and sections 25(1-b)a and 26(i)(ii) of the Arms Act lodged on 28.08.2022 by the informant, Abhay Kant Chandra.

The case of prosecution, in short, is that on 28.08.2022 at about 10.00 A.M. informant alongwith other Police official proceeded for raiding of illegal wine. However, in course of raid, informant received an information that wanted accused of Sangrampur (Tetyabumber) P.S. Case No. 218/22 namely, Saurav Kumar @ Chhotu Kumar is present at his house.



The informant reached at the house of Saurav Kumar @ Chhotu Kumar (the petitioner herein) and arrested him. On search, one loaded country made pistol and a Royal Enfield motorcycle without registration number were recovered from his possession. Accordingly, the FIR.

It has been contended by the learned counsel for the petitioner that for the alleged act in which he has been named, has already suffered by being in custody since 29.08.2022 (as stated in paragraph 10 of the bail application) only because he has criminal antecedent.

Learned APP for the State, on the other hand, opposes the prayer for bail.

Taking into account his period of custody as also the fact that charge sheet submitted and he will have to face the trial, this Court is inclined to extend him privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Munger in connection with Sangrampur P.S. Case No. 224 of 2022, subject to the following conditions:-

(i) one of the bailor should be the family member of



the petitioner who shall provide official document to show his
bona fide;

(ii) the petitioner shall appear on each and every date
before the Trial court and failure to do so for two consecutive
dates without plausible reason will entail cancellation of his bail
bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned
police station every month for next one year to mark attendance;

(iv) the petitioner shall in no way try to induce or
promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of his bail bonds;

(v) the petitioner shall desist from committing any
criminal offence again failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

Jagdish/Neha/-

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