

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13395 of 2024

Arising Out of PS. Case No.-470 Year-2023 Thana- RIGA District- Sitamarhi

Monu Kumar @ Munnu Rai S/o Feku Rai @ Pheku Ray R/o vill - Sonar, P.S.
- Riga, Distt. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate
For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-03-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 414 of the IPC and 25(1-B)a, 26, 35 of the Arms Act.

3. The learned counsel for the petitioner submits that
petitioner has antecedent of four cases and has been falsely
implicated in the instant case by the informant with an
allegation that during routine check up a motorcycle was asked
to stop, but one person fled while one was apprehended who
disclosed his name as Dinbandhu Kumar and from whose
possession a countrymade loaded pistol along with live
cartridges were recovered. It is next submitted that the petitioner
came to be implicated on the ground that the motorcycle which
was seized belonged to him. It is further submitted that



petitioner was not even present at the place of occurrence and he was completely unaware that Dinbandhu Kumar would misuse the vehicle in the manner as alleged. The learned counsel next submits that petitioner will not abscond rather will cooperate in the investigation.

4. The learned APP opposes the anticipatory bail application.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., VI, Sitamarhi in connection with Riga P.S. Case No.470 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C. with further condition that one of the bailor shall be his father Feku Rai @ Pheku Ray.

6. It is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation or



is not presenting himself when required, in that event, the learned trial court shall be at liberty to forthwith cancel the bail bonds of the petitioner forthwith and to take all coercive steps to ensure that petitioner is behind bar.

7. It is further made clear that if the police after investigation submits charge sheet connecting the petitioner with the offence, in that event, the present anticipatory bail order shall loose its effect.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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