

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19623 of 2024

Arising Out of PS. Case No.-12 Year-2023 Thana- BARARI District- Katihar

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SUMAN KUWAR SON OF FAGO KUWAR RESIDENT OF VILLAGE -
BAKHARPUR (PIRPAITI), P.S. - PIRPAITI, DISTRICT - BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Harish Kumar, Advocate

For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 18-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Barari
(Semapur) P.S. case No. 12 of 2023 instituted for the offences
under Sections 25(1-b)a, 26, 35 of the Arms Act.

3. As per the prosecution case, police, on the basis of
statement of the accused persons, recovered arms from the
orchard of Imtiyaz Haazi.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted
that petitioner has got no concern with the recovered arms and
ammunitions. Charge-sheet has been submitted in this case. It



has been submitted on behalf of the petitioner that the petitioner has been remanded in this case from Barai P.S. Case No. 403 of 2022 on 09.01.2023 and has four criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barari (Semapur) P.S. case No. 12 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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