

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18406 of 2024

Arising Out of PS. Case No.-17 Year-2024 Thana- KALYANPUR District- Samastipur

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Sujeet Kumar S/o Late Shiv Chandra Singh R/o Vill - Milki Ward No. 16, P.S.
- Kalyanpur, Dist. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

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

ORAL ORDER

2 21-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Kalyanpur P.S. case No.
17 of 2024 instituted for the offences under Sections 399, 400,
402, 120B of the Indian Penal Code and Sections 25(1-B)a, 26
and 35 of the Arms Act.

3. Prosecution allegation, in short, is that on the basis
of the statement of accused person, the police reached the place
of occurrence then on seeing the police the accused persons
started fleeing away but some were apprehended including the
petitioner and one pistol not in working condition was recovered
from him.

4. Learned counsel for the petitioner submits that the



petitioner has falsely been implicated in the present case only on the basis of suspicion. The petitioner is not the owner of the seized motorcycle in question. No specific overt act is alleged against the petitioner except the statement of the informant. The petitioner is in custody since 17.01.2024 and has four criminal antecedents in which he is on bail. There is no compliance of Section 100 of the Cr.P.C.

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 and 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 Kalyanpur P.S. case No. 17 of 2024 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)

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