

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19724 of 2024

Arising Out of PS. Case No.-268 Year-2023 Thana- SURYAGARHA District- Lakhisarai

Sujit Kumar @ Sujeet Kumar S/O Opi Yadav @ Upendra Yadav R/O Village -
Hussaina, P.S. - Medni Chowki, District - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan, Adv.

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

**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
Suryagarha P.S. Case No. 268 of 2023 instituted for the
offences under Sections 25(1-b)A, 26(i) of the Arms Act.

3. As per prosecution case, the police on receipt of
secret information, intercepted one horse rider and who, on
query, disclosed his name as Sujit Kumar, the petitioner. When
the police tried to arrest him he succeeded to flee away from
there after throwing a country made pistol and *Bindolia*.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.



There is no specific allegation of any overt act against the petitioner rather the same is general and omnibus and far from truth. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized article. The petitioner has altogether nine criminal antecedents as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 10.10.2023.

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

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Suryagarha P.S. Case No. 268 of 2023, subject to the conditions that;

(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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