

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25292 of 2024

Arising Out of PS. Case No.-291 Year-2023 Thana- BHAGWANPUR District- Vaishali

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Suraj Kumar S/O Sanjay Ram R/O Village- Karhari, P.S- Bhagwanpur, Distt.-
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md Soban Asghar, Advocate

For the Opposite Party/s : Mr. Madhuri Lata, APP

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

ORAL ORDER

3 17-05-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. At the outset, it has come to light of the Court that
the present case is listed under the heading ‘Anticipatory Bail’
despite matter being filed for regular bail under Sections 439 &
440 of the Cr.P.C. Office is directed to make necessary
correction/s in the course of the day.

3. The petitioner seeks bail in connection with
Bhagwanpur P.S. Case No. 291 of 2023 instituted for the
offence under Sections 25(1-b)a, 26 & 35 of the Arms Act.

3. Prosecution case as emanated from the FIR, is that
one country made pistol, one live cartridge and one knife has



been recovered from the possession of the petitioner.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 23-12-2023. Petitioner is a man of clean antecedent.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Nothing has been recovered from the conscious possession of the petitioner. Petitioner has no concern with the alleged recovered arms. There is no compliance of Section 100 of the Cr.P.C. Other co-accused has been granted bail by this Court vide order dated 30-04-2024, passed in Cr. Misc. No. 29465 of 2024.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, claim based on parity and clean antecedent of the petitioner, this Court is inclined to grant bail to the petitioner.

8. 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



Bhagwanpur P.S. Case No. 291 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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