

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27905 of 2024

Arising Out of PS. Case No.-10 Year-2024 Thana- SAHIYARA District- Sitamarhi

Suraj Kumar S/o- Mahesh Baitha Vill- Bhaluaha, P.S. Bathnaha, Dist. Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 29-04-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Sahiyara P.S. Case No. 10 of 2024 instituted for the offence under Sections 399 & 402 of the Indian Penal Code and Sections 25(1-B)a, 26 & 35 of the Arms Act.

3. Prosecution case in short is that there is recovery of one country made pistol and one live cartridge from the possession of co-accused, namely, Kundan Das.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 22-01-2024. 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. It is lastly submitted that charge sheet has already been submitted in this case.

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, clean antecedent of the petitioner and charge sheet being submitted, 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 Sahiyara P.S. Case No. 10 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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