

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31567 of 2024**

Arising Out of PS. Case No.-608 Year-2023 Thana- SAUR BAZAR District- Saharsa

Amar Kumar Ray son of Baleshwar Ray Resident of Village- Pama, Ward No.  
11, P.S.- Sour Bazar, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

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

ORAL ORDER

2      25-04-2024                      Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner seeks bail in connection with Sour Bazar P.S. case No. 608 of 2023 instituted for the offences under Sections 392, 411 of the Indian Penal Code and 25(1-b)a, 26, 35 of the Arms Act.

3. Prosecution case, in short, is that three unknown miscreants armed with weapons looted the motorcycle and cash amounting to Rs. 200/- from the informant, on the point of pistol.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner



transpired in this case during investigation only on the basis of suspicion. Learned counsel for the petitioner further submitted that as per paragraph-17 of the case diary, the police arrested this petitioner alongwith other co-accused riding the looted motorcycle and on search, one loaded country-made pistol was recovered from the petitioner. He further submitted that, in fact, no recovery has been made from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the looted article. He further submitted that FIR has been lodged u/s 392,34 of the Indian Penal Code but charge-sheet has been submitted u/s 392, 411, 34 of the Indian Penal Code and 25(1-b)a, 26, 35 of the Arms Act. It has been submitted on behalf of the petitioner that the petitioner is in custody since 09.10.2023 and has one criminal antecedent.

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 Sour Bazar P.S. case  
No. 608 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.

(III) If the petitioner tampers with the evidence or the  
witnesses, in that case, the prosecution will be at liberty to move  
for cancellation of bail.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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