

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36788 of 2024

Arising Out of PS. Case No.-26 Year-2024 Thana- SAMASTIPUR District- Samastipur

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Sujeet Kumar Ram @ Sujeet Ram son of Ram Babu Ram Village- Kashipur
W.No-32 New, PS- Town Distt-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Sinha
For the Opposite Party/s : Mr.Arun Kumar Singh

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

ORAL ORDER

2 21-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Samastipur P.S. Case No. 26 of 2024 instituted for the offences
punishable under Sections 25(1-b)a, and 26 of the Arms Act.

3. As per prosecution case, there has been recovery of
one country-made pistol and one live cartridge from the
possession of the petitioner.

4. Learned counsel for the petitioners submitted that
the petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this case. The petitioner has
no concern with the alleged arms and cartridge, which were
seized by the police. No incriminating article has been



recovered from the conscious possession of the petitioner. Only on the basis of suspicion and due to his criminal antecedents, petitioner has been implicated in the present case by the police. The provision of Section 100 of the Cr.P.C. has not been followed in this case while preparing the seizure list. The petitioner is in custody since 21.01.2024 and has seven criminal antecedents.

5. Learned APP 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 well as 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 **after framing of charge, if not already framed**, 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 Samastipur P.S. Case No. 26 of 2024.

(Rudra Prakash Mishra, J)

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