

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38976 of 2024

Arising Out of PS. Case No.-1001 Year-2022 Thana- BIHTA District- Patna

Shri Rai @ Sir Niwas Rai @ Niwas Ray @ Shri Niwas Ray @ Sri Niwas Son
of Kamat Rai R/O Village- Amnabad, P.S.- Bihta, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi, Adv.

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 04-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bihta P.S. Case No. 1001 of 2022 dated 30.09.2022 registered for the offence/s punishable u/ss 25(1-b)a, 26, 27 and 35 of the Arms Act and Sections 353 and 307 of the Indian Penal Code.

3. As per the prosecution case, one country made *Katta*, five live cartridges and Rs. one lakh were recovered from the house of the of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. Nothing has been recovered from the conscious possession of



the petitioner. No cartridge was recovered from the place of occurrence. The petitioner has no concern with the alleged recovery. The co-accused person has already been granted anticipatory bail by this court vide order dated 06.11.2023 passed in Cr. Misc. No. 65384 of 2023. The petitioner has nine other criminal cases and he is on bail in five cases as stated in para 3 of the bail petition. The petitioner is in custody since 05.02.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Danapur, Patna in connection with Bihta P.S. Case No. 1001 of 2022 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail



*bond of the petitioner is liable to be
cancelled.*

7. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

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