

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36880 of 2024

Arising Out of PS. Case No.-114 Year-2024 Thana- BIHTA District- Patna

Niranjan Rai @ Niranjan Kumar son of Late Ramdev Rai R/o- Paschimi
Surmarwa Ps- Maner Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary, Adv.

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

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

ORAL ORDER

4 28-08-2024 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. 114 of 2024 dated 31.01.2024 registered for the offences punishable u/ss 25(1-AA) and 26 of the Arms Act.

3. As per the prosecution case, a loaded Carbine containing four live cartridges in its magazine, Samsung Mobile and Rs. 19,000/- were recovered from the possession of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. The name of the petitioner has transpired in this case merely on suspicion. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged recovery. The petitioner has five criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 31.01.2024.

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 in connection with Bihta P.S. Case No. 114 of 2024, with the condition/s:-

(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 prosecution will be at liberty to move for cancellation of his bail bond.



(ii) *If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bonds.*

7. The application stands allowed.

(Chandra Prakash Singh, J)

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