

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54848 of 2024

Arising Out of PS. Case No.-242 Year-2023 Thana- RUNISAIDPUR District- Sitamarhi

Rituraj @ Rana S/o- Ram Nath Singh Village- Morsand Ps- Runnisaidpur
Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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

ORAL ORDER

2 02-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Runnisaidpur P.S. Case No. 242 of 2023 instituted for the offences under Sections 25(1-b)a, 26, 35 of the Arms Act and 8/20(b)(ii) of the N.D.P.S. Act.

3. Prosecution case, in short, is that police, on the basis of secret information, raided the house of the petitioner and apprehended five co-accused persons whereas this petitioner managed to flee away. On search, various arms and ammunitions including a total of two kilo-grams charas were recovered from co-accused persons.

4. Learned counsel for the petitioner submitted that the



petitioner is innocent and has falsely been implicated in the present case only on the basis of suspicion. Learned counsel further submitted that petitioner was not apprehended on the spot. Petitioner is in custody since 09.05.2024 and has five criminal antecedents. There is no allegation of tampering of witnesses alleged against the petitioner. No any contraband has been recovered from the conscious possession of the petitioner. The co-accused person has already been granted bail by this Bench vide order dated 04.12.2023 passed in Cr. Misc. No. 76782 of 2023.

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 Runnisaidpur P.S. Case No. 242 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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