

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57186 of 2024

Arising Out of PS. Case No.-228 Year-2024 Thana- SONEPUR District- Saran

Munna Rai @ Mukut Yadav @ Mukut Kumar Son of Shivchandra Ray R/O
Village - Khwajpur Basati, P.S.- Baligaon, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Himanshu Ranjan, Advocate
For the Opposite Party/s : Mr.Dinesh Singh, APP

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

ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sonpur
P.S. Case No. 228 of 2024 instituted for the offences under
Sections 414, 412 of the Indian Penal Code and Section 25(1-
b)a, 26 of the Arms Act.

3. As per the F.I.R., police, in course of arresting the
accused namely Munna Rai @ Mukut Kumar (petitioner herein)
in Baligaon P.S. Case No. 179 of 2023, received secret
information that the said accused resides on rent in the house of
one Ajeet Kumar. On that basis, police party raided the house of
Ajeet Kumar and recovered one country-made pistol, magazine
from the possession of the petitioner. It is further alleged that



seven mobile phones and two motorcycles were also recovered.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner rather the recovery has been made from the house of one Ajeet Kumar. Learned counsel further submitted that petitioner has got no concern with the recovered arms and ammunitions. It has been submitted on behalf of the petitioner that the petitioner is in custody since 17.03.2024 and has seven criminal antecedents. There is no compliance of Section 100 of the Cr.P.C.

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 Sonpur P.S. Case No. 228 of 2024, 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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