

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61818 of 2024

Arising Out of PS. Case No.-16 Year-2024 Thana- Marnga District- Purnia

Raja Choudhary Son of Shravan Choudhary Village- Minapur Turki Bazar,
P.S.- Minapur, Distt. Muzaffarpur. At present R/O Vill.- Janta Chowk, J.P.
Colony, P.S.- K. Hat, Dist.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate
For the Opposite Party/s : Md. Matloob Rab, APP

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

ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in S.Tr. No. 313 of 2024,
arising out of Maranga P.S. Case No. 16 of 2024, instituted for
the offences punishable under Sections 413, 414 of the Indian
Penal Code, Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, one country
made pistol has been recovered from the possession of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted as well as charge
has also been framed in this case. No incriminating material has



been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner further submits that the petitioner has got no concern with the alleged recovery of arms. The petitioner was a passerby of that way and was arrested on the basis of suspicion. The petitioner is in custody since 19.03.2024 and has got four criminal antecedents. There is no compliance of Section 100 of Cr.P.C.

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 and taking into account 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with S.Tr. No. 313 of 2024, arising out of Maranga P.S. Case No. 16 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.

(Rudra Prakash Mishra, J)

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