

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76403 of 2024

Arising Out of PS. Case No.-130 Year-2024 Thana- LALGANJ District- Vaishali

Niraj Kumar @ Neeraj Kumar S/O Awadhesh Ray @ Radhesh Ray Resident
of Village- Rampur, P.S- Garkha, District- Saran Chapra.

... .. Petitioner/s
Versus
The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Subodh Kumar Barnwal, Advocate
For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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

ORAL ORDER

2 24-10-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Lalganj P.S. Case No. 130 of 2024 instituted for the offence
under Sections 399, 402 of the Indian Penal Code and Sections
25(1-B)a, 26 & 35 of the Arms Act.

3. Prosecution case in short is that there is recovery of
two live cartridges from the possession of the petitioner.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 19-05-2024. Petitioner



bears two criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that petitioner has no concern with the recovered arms. Learned counsel next submits that police after investigation has already submitted charge sheet in this case. There is no compliance of Section 100 of the Cr.P.C.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. 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 Lalganj P.S. Case No. 130 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)

Raj Kishore/-

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