

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77513 of 2024

Arising Out of PS. Case No.-948 Year-2023 Thana- KHAGARIA District- Khagaria

Sujay Singh @ Fighter S/o- Late Arjun Singh Village- Bhadas South, P.S.
Muffasil, Distt. Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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

ORAL ORDER

2 25-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Khagaria (Muffasil) P.S. case No. 948 of 2023, GR No. 3163 of
2023 instituted for the offences under Sections 414 of the Indian
Penal Code and 25(1-b)a, 26, 35 of the Arms Act.

3. As per the F.I.R., police on the secret information
reached the house of Karan Kumar. Seeing the police two
persons including this petitioner fled away from spot. On
search, two desi *katta*, one live cartridge, motorcycle and
mobile phone were 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. Learned counsel further submitted that petitioner was not present at the spot and his name has transpired in this case only on the disclosure made by apprehended co-accused persons. Learned counsel further submitted that petitioner has got no concern with the recovered arms and ammunitions. The co-accused person has already been granted bail by this Bench vide order dated 09.04.2024 passed in Cr. Misc. No. 27398 of 2024. It has been submitted on behalf of the petitioner that the petitioner is in custody since 09.11.2023 and has five 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, claim based on parity 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 Khagaria (Muffasil)



P.S. case No. 948 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.

(Rudra Prakash Mishra, J)

Alok Verma/-

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