

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3724 of 2024

Arising Out of PS. Case No.-109 Year-2023 Thana- BELSAND District- Sitamarhi

Suraj Kumar S/o- Mohan Rai R/o- Village- Patahi, P.S.- Belsand, Dist.-
Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Jha, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

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

ORAL ORDER

2 30-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Belsand P.S. Case No.
109 of 2023, instituted for the offences punishable under
Sections 25(1-b)a and 26 of the Arms Act.

3. The prosecution case, in short, is that, on secret
information, police reached the place of occurrence. Seeing the
police party, the accused person tried to flee away but was
apprehended. On search, a country made pistol along with a
bullet in its magazine was recovered from the possession of the
petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. The



petitioner has been falsely implicated in this case due to extraneous circumstances. In fact, the petitioner has no concern with the alleged recovered articles. The petitioner has no any criminal antecedent as has been stated in paragraph no. 3. The petitioner is languishing in judicial custody since 25.10.2023. There is no compliance of Section 50 of the Code of Criminal Procedure.

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 Belsand P.S. Case No. 109 of 2023.

(Rudra Prakash Mishra, J)

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