

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6621 of 2025**

Arising Out of PS. Case No.-700 Year-2020 Thana- SONEPUR District- Saran

=====

Akash Kumar @ Akash Rai @ Akash Kr Son of Maheshwar Ray Resident of
Village- Manpur, P.S.- Sonapur, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Adv.

For the Opposite Party/s : Ms.Sharda Kumari, APP

=====

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

ORAL ORDER

4 06-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sonapur P.S. Case No. 700 of 2020 instituted for the offences
under Sections 25(1-b), 26, 35 of the Arms Act.

3. As per prosecution case, the police has recovered
one country-made pistol loaded with live cartridge from the
possession of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
merely on the basis of suspicion. He further submits that
nothing incriminating has been recovered from the conscious



possession of the petitioner. The petitioner has no concern with the seized fire-arms. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner has altogether eleven criminal antecedents and is languishing in judicial custody since 23.09.2020 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Pursuant to the order of this Court dated 13.02.2025, the learned court below has sent the report regarding present stage of trial. From perusal of the same, it appears that the charge-sheet has been submitted against the petitioner and the present case is at the stage of evidence and the next date for evidence is fixed on 10.03.2025.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Sonapur P.S. Case No. 700 of 2020, subject to the following conditions;



(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(iii) The petitioner will not leave the territorial jurisdiction of the court below without prior permission for the same.

(iv) If the petitioner is found indulged in any criminal activity or commission of any crime after being released on bail.

(v) In case of non-compliance of any of the terms and conditions stated herein above, the prosecution will be at liberty to file an appropriate application before the court below for cancellation of his bail.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

