

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12873 of 2025

Arising Out of PS. Case No.-204 Year-2024 Thana- GANGABRIDGE District- Vaishali

1. Sonu Kumar Son of Bhushan Rai @ Bhunesh Ray village- Diwantok Ward No. 8, P.S. -Ganga Bridge, District -Vaishali
2. Chandan Kumar Son of Upendra Rai village- Diwantok Ward No. 8, P.S. -Ganga Bridge, District -Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravish Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 05-03-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Ganga Bridge P.S. Case No. 204 of 2024 instituted for the offences under Sections 310(4), 310(5), 317(3), 317(5) of the Bharatiya Nyaya Sanhita, 2023 and 25(1-b)a, 26, 35 of the Arms Act.

3. Prosecution case, in short, is that police, on the basis of secret information that some criminals have assembled at the place of occurrence, raided the place and recovered various arms and ammunitions. It is further alleged that one country-made pistol has been recovered from petitioner no. 1 whereas two live cartridges have been recovered from petitioner



no. 2.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. No incriminating/looted article has been recovered from the conscious possession of the petitioners. Learned counsel further submitted that petitioners have got no concern with the recovered arms and ammunitions. It has been submitted on behalf of the petitioners that the petitioners are in custody since 10.10.2024. Petitioner no. 1 has two criminal antecedents whereas petitioner no. 2 has one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. The co-accused person has already been granted bail by this Court vide order dated 03.03.2025 passed in Cr. Misc. No. 11315 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties



of the like amount each to the satisfaction of Court below/concerned Court in connection with Ganga Bridge P.S. Case No. 204 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners 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 petitioners.

(III) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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