

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58359 of 2024

Arising Out of PS. Case No.-89 Year-2024 Thana- ARA MUFFSIL District- Bhojpur

Sumit Kumar @ Brajesh Kumar Son of Surendra Yadav @ Surendra Kumar
Singh R/V- Village- Sundarpur Kurifya (Kudiya), P.S.- Ara Mufassil, Distt.-
Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar, Advocate

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 29-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Ara Muffasil P.S. Case No. 89 of 2024, registered for the alleged offences under Sections 414, 420, 467, 468, 471, 120B/34 of the Indian Penal Code and Sections 25(1-b)a/26/35 of the Arms Act.

3. As per prosecution case, while conducting a raid against illicit liquor, informant received information about a person taking away a stolen truck having illegal firearms and ammunition. The said truck was intercepted and out of three persons present in the truck, two persons fled away and this petitioner was apprehended and from his possession a country



made katta and five cartridges were recovered apart from a mobile phone.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner took lift on the truck and the persons driving the truck fled away and the petitioner was apprehended. The recovery shown from the petitioner was not made from him and the said recovery was from the truck. The petitioner is in custody since 12.03.2024 and charge sheet has been submitted. The petitioner is having antecedent of three cases.

5. Learned APP vehemently opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner is accused in three more cases under Sections 395 and 392 IPC, respectively and it shows he is a habitual offender.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and submission of charge sheet, the petitioner above named is directed to 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 learned ACJM-VII, Bhojpur at Ara/concerned Court in connection with Ara Muffasil P.S. Case No. 89 of 2024, subject



to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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