

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80731 of 2024

Arising Out of PS. Case No.-242 Year-2023 Thana- RUNISAIDPUR District- Sitamarhi

Suman Kumar Son of Sanjeev Kumar Resident of Village- Rain Vishuni, P.O-
Runnisaidpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Singh, Sr. Advocate Mr. Manish Kumar Singh, Advocate Mrs. Akrity Aishwarya, Advocate Mr. Kundan Kumar, Advocate
For the Opposite Party/s	:	Mr. Chandra Sen Prasad Singh, APP

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

ORAL ORDER

4 31-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Runnisaidpur P.S. Case No. 242 of 2023, instituted for the offences under Sections 399, 402 & 414 of the IPC, 25(1-B)(a), 26, 35 of the Arms Act and 8/20(b)(ii)(c) of the NDPS Act.

3. Prosecution allegation, in short, is that on the basis of secret information, raided the house of co-accused, namely, Rituraj and apprehended five accused persons including this petitioner. On search, various arms and ammunitions including a



total of two kilo-grams *charas* were recovered from co-accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner was arrested on the spot. No any contraband or arms has been recovered from the conscious possession of the petitioner. The petitioner is in custody since 13.05.2023 and has got one criminal antecedent in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted regular bail by this Court vide orders dated 02.08.2024 and 25.10.2024 passed in Cr. Misc. Nos. 54848 of 2024 and 34182 of 2024 and by a coordinate Bench of this Court vide order dated 24.08.2023 passed in Cr. Misc. No. 54034 of 2023.

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 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 Runnisaidpur P.S. Case No. 242 of 2023.

(Rudra Prakash Mishra, J)

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