

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73252 of 2024

Arising Out of PS. Case No.-190 Year-2024 Thana- NAANPUR District- Sitamarhi

Pappu Rai S/o Nageshwar Rai R/o Village- Bathaul, P.S.- Bokhara, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 18-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Nanpur P.S. Case No. 190 of 2024, registered on 28.04.2024, for the alleged offences under Sections 412 of the Indian Penal Code and 25(1-B)a, 26, 35 of the Arms Act.

03. As per prosecution case, while investigating Nanpur P.S. Case No. 178 of 2024, police received information about the petitioner, one of the accused persons of the said case, trying to flee away from his village. A raid was conducted and the petitioner was apprehended. From possession of the petitioner, a loaded country made *katta* with one cartridge was recovered apart from Rs. 30,000/- cash and a mobile phone. The motorcycle used in Nanpur P.S. Case No. 178 of 2024 was also



seized from the house of the petitioner.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The FIR has been lodged against the petitioner on the basis of completely false and concocted story and no recovery of firearms has been made from the petitioner. From the FIR of Nanpur P.S. Case No. 178 of 2024, it is apparent that police chased the miscreants and seized the motorcycle used in the crime which was abandoned near a petrol pump. Learned counsel further submits that rest of the recovery shows from the petitioner does not belong to the alleged crime. The petitioner was having clean antecedent before he was made accused in Nanpur P.S. Case No. 178 of 2024 on 20.04.2024. The petitioner is in custody since 29.04.2024 and charge-sheet has been submitted.

05. Learned APP for the State opposes the prayer for bail. Learned APP submits that the petitioner was caught red handed carrying a country made loaded *katta*.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with 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 Chief Judicial Magistrate, Sitamarhi in connection with Nanpur P.S. Case No. 190 of 2024, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and 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 bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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