

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1375 of 2025

Arising Out of PS. Case No.-62 Year-2024 Thana- KALYANPUR District- Samastipur

Suraj Kumar S/o Pawan Ray @ Pawan Rai R/o Village- Akbarpur, PS-
Kalyanpur, Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Kumar

For the Opposite Party/s : Mr.Yogendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-04-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Kalyanpur P.S. Case No. 62/2024 dated 11.03.2024 registered for the offences punishable u/s 399 and 402 of the Indian Penal Code and Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, a pistol without magazine was recovered from the possession of the co-accused, Shivam Kumar and one pistol and three live cartridges were recovered from the possession of the co-accused, Ramesh Kumar when the petitioner and the co-accused persons were assembled for making preparation to commit crime.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. The apprehended persons disclosed the name of the petitioner. The other co-accused person has already been granted regular bail by this court *vide* order dated 20.07.2024 passed in Cr. Misc. No. 42784/2024. The petitioner has four criminal antecedents and in all cases he is on bail as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Samastipur in connection with Kalyanpur P.S. Case No. 62/2024, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further Conditions:-

(i). The petitioner is directed to remain physically



present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.

(ii). If the petitioner is found involved in similar nature of offence in the future, the prosecution will be at liberty to move for cancellation of his bail bonds.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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