

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6019 of 2020

Arising Out of PS. Case No.-284 Year-2019 Thana- DIGHWARA District- Saran

ARUN KUMAR RAI, S/o Late Butan Rai, Resident of Village- Saidpur
Dighwara, Ward No.1, P.S.- Dighwara, Distt- Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Roy, Adv.

For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 24-06-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The matter has been taken up through virtual Court
proceeding.

The petitioner has preferred the present application for
grant of bail in a case registered for the offences punishable
under Sections 25(1-B)a and 26 of the Arms Act, 1959.

The prosecution case as per the written report of
Phulhasan, S.I, Dighwara Police Station submitted before the
S.H.O., Dighwara Police Station is to the effect that on
21.09.2019, during night patrolling at 1.05 A.M., a confidential
information was received that one person carrying arms in his
hand is threatening people. Consequently, a raid was laid and
the said person was apprehended, who disclosed his name as
Arun Kumar Rai, the petitioner. During frisking from the



possession of the petitioner, one country made pistol and four live cartridges were recovered.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been framed in the present case. The petitioner is languishing in custody since 22.09.2019 and the investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the recovery of arms have been made from the possession of the petitioner.

Considering the nature of recovery, the investigation already being concluded coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned ACJM-VI, Saran at Chapra, in connection with Dighwara P.S. Case 284 of 2019.

However, in view of the present pandemic, COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card, to the effect that he is ready to



become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties, including one surety given at the time of provisional bail, of the like amount each to the satisfaction of the learned ACJM-VI, Saran at Chapra , in connection with Dighwara P.S. Case 284 of 2019.

The learned Court below will further be at liberty to extend the period of provisional bail further if the court proceeding in physical mode will not resume in next three months.

(Dinesh Kumar Singh, J)

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