

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.9558 of 2020

Arising Out of PS. Case No.-499 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Ravi Kumar Son of - Rajendra Mahto Resident of - Sikandarpur, Rajaura, P.S.
- Muffasil, District - Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal

For the Opposite Party/s : Mr.Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 25-06-2020 The matter has been taken up through virtual Court
proceeding.

Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner is languishing in custody since
25.09.2019 in a case registered for the offences punishable
under Section 414 of the Indian Penal Code and Sections
25(1-B)a/26/35 of the Arms Act, hence, the prayer for bail has
been made through the present application.

The prosecution case, as per the written report of
Arun Kumar Singh, A.S.I., Lakho O.P. submitted to the Station



House Officer, Lakho O.P., is to the effect that on 23.09.2019, the informant received information from the higher officials that an unattended Pick-up van loaded with articles of transport has been found parked. Consequently, the informant reached on the spot when on seeing the police force, four persons started fleeing away but on chase, two persons were apprehended, who disclosed their name as Wibesh Kumar and Ravi Kumar, the petitioner and from the possession of co-accused Wibesh Kumar, one country made loaded pistol and three mobile phones were recovered, however, no recovery was made from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that only on the basis of suspicion, the petitioner has been apprehended and 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 petitioner was apprehended along with co-accused Wibesh Kumar, from whose recovery has been made.

Considering the fact that co-accused Wibesh Kumar, from whose possession, recovery of arms were made, has been granted bail vide Cr. Misc. No. 82493 of 2019 by Co-



ordinate bench of this Court, the investigation has already been concluded and statement being 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 Chief Judicial Magistrate, Begusarai in connection with Muffasil (Lakho O.P.) P.S. Case No. 499 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 upon 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 Chief Judicial Magistrate, Begusarai in connection with Muffasil (Lakho O.P.) P.S. Case No. 499 of 2019.

The learned Court below is at liberty to further



extend the period of provisional bail if the court proceeding in
physical mode will not resume in next three months.

(Dinesh Kumar Singh, J)

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