

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17923 of 2020**

Arising Out of PS. Case No.-286 Year-2019 Thana- TEGHRHA District- Begusarai

RAJA KUMAR S/o Dasrath Matho R/o village- Bajalpura (Bhagwati
Asthan), P.S.- Teghra, District- Begusarai

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Binod Kumar, Advocate

For the Opposite Party/s : Mr.Zainul Abedin,APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 05-06-2020 This application has been placed for consideration by

the order of the Hon'ble the Chief Justice through virtual court

proceeding.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner in the present case is seeking regular

bail in connection with Teghara P.S. Case No. 286 of 2019

registered for the offences punishable under Section 394 of the

Indian Penal Code.

Learned counsel for the petitioner submits that the

petitioner has falsely been implicated in this case. It is further

submitted that though the petitioner is in custody since

18.09.2020 but no test identification parade has been conducted

and investigation in this case is complete.



Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Considering the facts and circumstances of the case wherein in the present case the petitioner is not named, he has no criminal history, no test identification parade has been conducted and in the case lodged against him wherein it is alleged that a country made pistol has been recovered from his possession, he has already been enlarged on bail by a learned co-ordinate Bench of this Court vide order dated 15.01.2020 in Cr. Misc. No. 1476 of 2020, the petitioner has remained in custody since 18.9.2019, investigation against him is complete and there is no submission that his release at this stage is in any way likely to adversely affect the course of trial, let the petitioner above named be released on bail in connection with Teghara P.S. Case No. 286 of 2019 on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction learned Chief Judicial Magistrate, Begusarai, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

- (a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,
- (b) that such person shall not commit an offence



similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

