

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10684 of 2020

Arising Out of PS. Case No.-600 Year-2019 Thana- DANAPUR District- Patna

Md. Raja Khan @ Raja Khan Son of Sattar Khan R/o- Mohalla - Imali Tal,
Tenant of Ward Parshad, P.S.- Danapur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary
For the Opposite Party/s : Mr. Murli Dhar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 14-09-2020 The matter has been taken up through virtual

Court proceeding.

Since the court proceeding is non-functional in
physical mode due to the present pandemic COVID-19,
the matter is listed with defects.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks of the resumption
of the physical Court proceedings.

In case of non-removal of the defects within
undertaken period, the office shall place the matter
before the bench.

Heard learned counsel for the petitioner and



learned counsel for the State.

The petitioner is languishing in custody since 30.07.2019 in a case registered for the offences punishable under Sections 399, 402, 120B of the Indian Penal Code, 1860 and Sections 25(1-B) a, 26 of the Arms Act, 1959.

The prosecution case as per the written report of Sanjay Kumar Singh, S.I., submitted to the S.H.O, Danapur Police Station is to the effect that on secret information that miscreants have assembled to commit dacoity, raid was laid when five persons were apprehended who disclosed their names as Raja Khan (petitioner), co-accused Md. Sohail, Raushan Kumar @ Ranveer Kumar, Suraj Kumar @ Saroj Kumar and Bittu Jaiswal @ Samrat Kumar. From the possession of the petitioner, one country made loaded pistol and one live cartridge were recovered.

It is submitted by learned counsel for the petitioner that investigation has already been concluded



and the petitioner is not having any criminal antecedent.

A statement to that effect has been made in para 3 of the petition.

Learned A.P.P. submits that there is recovery of firearms and live cartridge from the possession of the petitioner.

Considering the fact that investigation has already been concluded and 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 learned Additional Chief Judicial Magistrate, 1st, Danapur, Patna in connection with Danapur P.S. Case No. 600 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. 10,000/-(ten thousands) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st, Danapur, Patna in connection with Danapur P.S. Case No. 600 of 2019 including one surety given at the time of provisional bail.

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

Accordingly, the present application stands disposed of.

(Dinesh Kumar Singh, J)

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