

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17860 of 2020**

Arising Out of PS. Case No.-623 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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SHATRUDHAN KUMAR @ SHATRUGHAN KUMAR S/o Chandra
Shekhar Rai @ Chandrashekhar Ray Resident of Ward No.13, Nagdah, P.S.-
Muffasil (Singhaul O.P.), Distt- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal, Advocate
For the Opposite Party/s : Mr.Shyam Kumar Singh,APP

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

2 04-06-2020 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.

This is an application for grant of regular bail to the

petitioner in connection with Begusarai Muffasil P.S. Case No. 623

of 2019 registered for the offence punishable under Sections 399,

402, 414, 120(B) 115 of the Indian Penal Code and Sections 25(1-

B)A, 26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that the

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

that no firearm either from possession of the petitioner or from his

Basa has been recovered. The alleged assemblage was not for



committing any crime. Learned counsel submits that the petitioner is in custody since 27.11.2019 having no criminal antecedent.

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

Considering the facts and circumstances of the case wherein the allegation against the petitioner is that at his Basa the accused persons had assembled and were planning to commit crime when Police surrounded the accused persons, from possession of the co-accused Md. Mahtab @ Kangaroo @ Bikram and Banti Kumar loaded country made pistols were recovered but so far as this petitioner is concerned, no firearm has been recovered from his possession and there is no allegation that from the Basa of this petitioner any firearm or cartridge was recovered, there being statement in paragraph '3' that the petitioner has no criminal antecedent and he is in custody since 27.11.2019, investigation against him is complete and there is no submission on behalf of the State that the release of the at this stage is in any way likely to adversely affect the trial, let the petitioner above named be released on bail in connection with Muffasil P.S. Case No. 623 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, or 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'.

