

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15798 of 2020

Arising Out of PS. Case No.-693 Year-2019 Thana- BEGUSARAI TOWN District- Begusarai

Deepak Kumar (Male-23 years), S/o Ram Chandra Mahto Resident of
Village-Purshottampur, P.S-Bibhutipur, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 15817 of 2020

Arising Out of PS. Case No.-693 Year-2019 Thana- BEGUSARAI TOWN District- Begusarai

Gulshan Kumar (Male-23 years), S/o Mohan Singh Resident of Village-
Sihma, P.S.- Matihani, Distt- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 15798 of 2020)

For the Petitioner/s : Mr.Shubhesh Pandey

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

(In CRIMINAL MISCELLANEOUS No. 15817 of 2020)

For the Petitioner/s : Mr.Shubhesh Pandey

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

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 21-10-2020 Heard Mr. Shubhesh Pandey, learned counsel for the

petitioners and Mr. Anant Kumar-I, representing the State in

both the cases.

In this case, the petitioners are seeking bail in
connection with Begusarai Town P.S. Case No. 693 of 2019
registered for offences under sections 25(1-B)a, 26/35 of the



Arms Act.

Both the petitioners have got criminal antecedent as has been stated in paragraph no.3 of both the petitions.

In the present case, the police has recovered one country made pistol and two live cartridges from the possession of the petitioners.

Both the petitioners are languishing in judicial custody since 27.11.2019.

Looking to the period of custody as also considering the entire facts and circumstances of the case, let both the petitioners i.e. Deepak Kumar (Cr. Misc. No. 15798 of 2020) and Gulshan Kumar (Cr. Misc. No. 15817 of 2020) be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Begusarai Town P.S. Case No. 693 of 2019, subject to the conditions that (i) one of the bailors shall be a close relative of the petitioners (ii) if the petitioners are found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of their bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioners will cooperate the proceeding of the court below. In



event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds.

It is made clear that the petitioner, namely, Gulshan Kumar of Cr. Misc. No. 15817 of 2020 will report to the Begusarai Town police station by 7th of every month for at least six months and in case of failure without any valid rhyme or reason, his bail will be treated to have been canceled.

(Shivaji Pandey, J)

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