

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16875 of 2020**

Arising Out of PS. Case No.-341 Year-2019 Thana- SAHEBGANJ District- Muzaffarpur

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MUKESH RAI S/o Bharat Ray Resident of Village- Madhopur Hazari, P.S.-
Sahebganj, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Yugal Kishore

For the Opposite Party/s : Mr.Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-06-2020 Due to COVID-19 Pandemic, the matter is being taken up
by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

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

The petitioner seeks bail in a case registered under Section
399, 402 of the Indian Penal Code and 25(i-B)a, 26/35 of the Arms
Act.

Prosecution case in short is that on the basis of confidential
information, the informant saw six accused persons who seeing the
police party, started to flee away. On chase, three accused persons
were arrested and arms and ammunition were recovered.

It has been submitted on behalf of the petitioner that there is no
allegation of tampering of witnesses alleged against the petitioner.



The petitioner is in custody since 25-09-2019. Charge sheet has already been submitted. The petitioner's name transpired in this case on the basis of disclosure made by co-accused. There is no recovery of arms from possession of the petitioner. The petitioner has been made accused in this case due to village politics.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioner, above named, is directed to be released on bail on his personal bond to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, Muzaffarpur in connection with Sahebganj P.S. Case No. 341 of 2019.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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