

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17904 of 2020**

Arising Out of PS. Case No.-9 Year-2020 Thana- KANHAULI District- Sitamarhi

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Rahul Pandey, Son of Mahendra Pandey @ Mahendra Pandey Resident of
Village - Bishanpur adhar @ Bishanupur Adhar, P.S.- Kanhauli, Dist.-
Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

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

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

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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

A.P.P. for the State.

Petitioner in the present case is seeking regular bail in

connection with Kanhauli P.S. Case No. 09 of 2020 registered

for the offences punishable under Sections 25(1-b)/26 of the

Arms Act.

Learned counsel for the petitioner submits that only

one country made pistol with two live cartridges are said to be

recovered from the possession of the petitioner but the petitioner

has no criminal antecedent. Learned counsel submits that the



petitioner is in custody since 09.01.2020.

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

Considering the facts and circumstances of the case, wherein one country made pistol with two live cartridges are said to be recovered from the possession of the petitioner but the petitioner has no criminal antecedent, he has remained in custody for five months, investigation against him is complete and there is no submission that his release is likely to adversely affect the course of trial, let the petitioner above named be released on bail in connection with Kanhauli P.S. Case No. 09 of 2020 on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. I/C, Sitamarhi, subject to the condition as laid down under Section 437 (3) 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 is allowed.

(Rajeev Ranjan Prasad, J)

vats/Rajeev

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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'.

