

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17762 of 2020**

Arising Out of PS. Case No.-186 Year-2019 Thana- DARBHANGA SADAR District-
Darbhanga

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TUFANI RAY Son of Sant Ray Resident of Village- Rampur, Keshpatti, P.S.-
Muffasil, District- Samastipur. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha, Advocate
For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

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

4 30-06-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present application is seeking regular
bail in connection with Sadar (Mabbi O.P.) P.S. Case No. 186 of
2019 registered for the offences punishable under Sections 379,
411, 272, 273/34 of the Indian Penal Code, Sections 25(1-b)A,
26/35 of the Arms Act and Sections 20/22 of Narcotic Drugs &
Psychotropic Substances Act.

Learned counsel for the petitioner submits that
yesterday a supplementary affidavit has been filed through e-filing
on behalf of the petitioner indicating the fact that the petitioner is
on bail in cases mentioned in paragraph 3(ii) to (v). It is submitted
that from possession of the petitioner one loaded country made
pistol and two cartridges is said to have been recovered and the
petitioner is in custody since 18.05.2019. It is further submitted



that other co-accused have been allowed regular bail vide orders annexed at Annexure '2' to this petition by learned co-ordinate Benches of this Court.

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

Having regard to the facts and circumstances of the case wherein learned counsel for the petitioner submitted that an affidavit has been filed yesterday through e-filing stating that the petitioner is on bail in the cases stated in paragraph 3(ii) to (v) and further submission that as against the allegation of there being a recovery of one loaded country made pistol and two live cartridges from possession of this petitioner, the petitioner has been in custody since 18.05.2019, investigation against him is complete and in the meantime some co-accused have also been granted regular bail by learned co-ordinate Benches of this Court, copies of which has been enclosed as Annexure '2' to the present application, let the petitioner above-named be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Ist Additional Sessions Judge-cum-Special Judge, Darbhanga in connection with G.O. Case NO. 08 of 2019 arising out of Sadar (Mabbi O.P.) P.S. Case No. 186 of 2019, 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 petitioners.

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'.

