

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19541 of 2020

Arising Out of PS. Case No.-504 Year-2019 Thana- KESARIA District- East Champaran

MANISH @ VIKASH RAI Son of Rajendra Rai Resident of Village - Ram
Nagar, P.S. - Sakra, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-11-2020 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 instituted for the
offences under Sections 25(1-b)a, 26 and 35 of the Arms Act.

Prosecution case, in short, is that one loaded country
made pistol along with five live cartridges is recovered.

The earlier bail application of the petitioner was
rejected vide Annexure-1 to the present application with an
observation ‘at this stage’. In the light of the said observation,
the present bail application has been filed on behalf of the



petitioner.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 24.10.2019. Charge-sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that one country made pistol along with five live cartridges is recovered. There is no compliance of Section 100 Cr.P.C. The petitioner has already remained in custody for more than a year.

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

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 3rd A.C.J.M., East Champaran at Motihari in connection with Kesariya P.S. Case No. 504 of 2019.

(Sudhir Singh, J)

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