

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18319 of 2020**

Arising Out of PS. Case No.-447 Year-2019 Thana- BRAHMPUR District- Buxar

SANTOSH PANDEY Son of Yamuna Pandey Resident of Village - Sapahi,
P.S.- Brahmpur, Dist.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Usha Rai
For the Opposite Party/s :	Mr.Umanath Mishra
	Mr. Ashok Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 04-06-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing lock-down on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Mr. Ashok Kumar, the learned APP appearing for the State.

The petitioner seeks regular bail in connection with Brahampur P.S. Case No. 447 of 2019, registered for the offence punishable under Sections 25(1-b)a/26 of the Arms Act.

The allegation is regarding the informant having received secret information that some miscreants are planning to transport illicit liquor whereafter the informant along with the police party had reached at the alleged time and place of



occurrence and intercepted 3-4 persons as also had arrested some of them including the petitioner herein and upon search, one loaded country made pistol with one live cartridge as also two mobile phones were recovered from the possession of the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case only on account of his bad antecedent. It is further submitted that the petitioner is languishing in custody since 14.10.2019 and there is no allegation of commission of any sort of crime by the petitioner herein.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in



connection with Brahampur P.S.Case No. 447 of 2019.

(Mohit Kumar Shah, J)

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