

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18612 of 2020

Arising Out of PS. Case No.-349 Year-2019 Thana- MANER District- Patna

Upendra Kumar S/o Satya Narayan Rai @ Satya Narayan Singh R/o Sherpur
Rampur, P.S.- Maner, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 14-09-2020 The matter has been taken up through virtual

Court proceeding.

Since the court proceeding is non-functional in
physical mode due to the present pandemic COVID-19,
the matter is listed with defects.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks of the resumption
of the physical Court proceedings.

In case of non-removal of the defects within
undertaken period, the office shall place the matter
before the bench.

Heard learned counsel for the petitioner and



learned counsel for the State.

The petitioner is languishing in custody since 17.07.2019 in a case registered for the offences punishable under Sections 25(1-B) a, 26, 35 of the Arms Act, 1959.

The prosecution case as per the written report of Praveen Kumar Singh, submitted to the S.H.O, Maner Police Station is to the effect that on 16.07.2019 at 1:30 P.M., a confidential information was received that petitioner who used to collect extortion from the boat sailors has come to his house. Consequently, raid was laid and a country made riffle was recovered beneath the bed of the petitioner and he was apprehended.

It is submitted by learned counsel for the petitioner that recovery has been made from the joint family house of the petitioner and the investigation has already been concluded. Statement has been made in para 3 of the petition that petitioner is not having any criminal antecedent.



Learned A.P.P. submits that recovery has been made from the house of the petitioner.

Considering the fact that investigation has already been concluded and the petitioner is not having any criminal antecedent, let the petitioner, above named, be released on bail, for the present, provisionally for a period of three months on furnishing one surety to the satisfaction of learned Judicial Magistrate, 1st Class, Danapur, Patna in connection with Maner P.S. Case No. 349 of 2019.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-Mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three



months on furnishing bail bond of Rs. 10,000/-(ten thousands) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Danapur, Patna in connection with Maner P.S. Case No. 349 of 2019 including one surety given at the time of provisional bail.

The learned Court below will be at liberty to further extend the period of provisional bail if the Court proceeding in physical mode will not resume in next three months.

Accordingly, the present application stands disposed of.

(Dinesh Kumar Singh, J)

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