

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20201 of 2020

Arising Out of PS. Case No.-44 Year-2020 Thana- SAHEBPUR KAMAL District- Begusarai

Ravi Shankar @ Ravi Kumar S/o Virendra Kumar @ Birendra Kumar R/o
Village-Sadpur, P.S.-Sahebpur Kamal, District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-06-2020 The matter has been taken up through virtual Court proceeding.

Heard learned counsel for the petitioner and
learned APP for the State.

Since the physical court proceeding is non-
functional the matter is listed with defects.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks of resumption of physical
court proceeding. In the eventuality of non-removal of defects
the office will place the matter before the bench.

The petitioner is languishing in custody since
16.02.2020 in a case registered for the offences punishable
under Sections 25(1-B)a/26/35 of the Arms Act, hence, the
prayer for bail has been made through the present application.

The prosecution case, as per the written report of



S.I., Arvind Shukla submitted to the Station House Officer, Sahebpur Kamal P.S., is to the effect that on 15.02.2020 during evening patrolling, a confidential information was received that the two sons of Birendra Kumar are fitting with one Bhim Mahto in the background of land dispute and when the informant reached at the place of occurrence, he was conveyed by Bhim Mahto that the sons of Birendra Kumar were carrying a country made pistol in their hand, consequently, the house of Birendra Kumar, the father of the petitioner was searched, from where a country made pistol and six live cartridges were recovered.

It is submitted by learned counsel for the petitioner that the petitioner is a student of Engineering and recovery has been made from the joint family house. The investigation has already been concluded and a statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the recovery has been made from the house of the petitioner.

Considering the fact that the recovery has been made from the joint family house, the investigation has already been concluded and statement made in paragraph no.3 of the



petition that 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 the learned Chief Judicial Magistrate, Begusarai in connection with Sahebpur Kamal P.S. Case No. 44 of 2020.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond upon 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.10000/- (ten thousand) with two sureties, including one surety given at the time of provisional bail, of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Sahebpur Kamal P.S. Case No. 44 of 2020.

The learned Court below is 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 application is disposed of.

(Dinesh Kumar Singh, J)

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