

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21782 of 2020

Arising Out of PS. Case No.-286 Year-2019 Thana- KATRA District- Muzaffarpur

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SHOBHIT RAI @ SOVIT RAI @ SHOBIT RAI Son of Pragash Rai Resident
of Village - Anna Goa, Police Station- Katra, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur

For the Opposite Party/s : Smt. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-07-2020 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.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks from the date of lifting of the lockdown in the
State of Bihar.

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 399, 402 of the Indian Penal Code read
with ¾ of Explosive Substance Act read with 25(1-b), 26 and
35 of the Arms Act.



Prosecution case, in short, is that on secret information when the police party reached near the place of occurrence and found the accused persons, variously armed, assembled there for committing crime. On seeing the police, the accused persons started fleeing away but were arrested.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 13.12.2019. 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 is recovered. As far as motorcycle in question is concerned, the petitioner has got no concern with the same. There is no compliance of Section 100 Cr.P.C.

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

Considering the facts and circumstances of the case and also the lockdown, the petitioner above named, is directed to be released on bail on his personal bond to the satisfaction of learned A.C.J.M., Muzaffarpur in connection with Katra P.S. Case No. 286/2019.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four



weeks to the satisfaction of the Court concerned in connection
with the aforesaid case.

(Sudhir Singh, J)

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