

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21085 of 2020

Arising Out of PS. Case No.-7 Year-2020 Thana- TEGHRHA District- Begusarai

Deepak Choudhary Son of Parmanand Choudhary Resident of Village -
Raghunandanpur, P.s.- Bahagwanpur (O.p.- Teyay), Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Amit Kumar Rakesh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-09-2020 The Court proceeding has been conducted
through virtual mode.

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

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

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

The petitioner is languishing in custody since
07.01.2020 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 Kishore Kumar Verma, Sub-Inspector of Police submitted to Station House Officer, Teghra Police Station, is to the effect that on 07.01.2020 at 5.00 P.M. during evening patrolling on direction of superior officer the informant reached at Sai Hotel and on seeing the police party, one boy started fleeing away from there but on chase he was apprehended, who disclosed his name as Deepak Choudhary, the petitioner and during search from his possession, one loaded country made pistol with two live cartridges were recovered.

It is submitted by learned counsel for the petitioner that 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 possession of the petitioner.

Considering the fact that the investigation has already been concluded, period under custody 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 Teghra P.S. Case No. 07 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 Teghra P.S. Case No. 07 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 stands disposed of.

(Dinesh Kumar Singh, J)

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