

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20009 of 2020

Arising Out of PS. Case No.-190 Year-2019 Thana- SIDHWALIYA District- Gopalganj

RANJIV KUMAR @ CHHOTU SINGH, Male, aged about 23 years, Son of Shri Harendra Singh, Resident of Village - Fulguni, P.S.- Thawe, Distt. - Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Deepak Kumar, Advocate.
For the Opposite Party : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-06-2020 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 counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 399, 402, 413, 414 of the IPC., 25(1-b)a, 26(1)(2), 35 of the Arms Act and 8(c), 20(b)(ii)(B) of the



N.D.P. S. Act.

The prosecution story, in brief, is that the police on information that some miscreants have assembled to commit a crime, raided the place and arrested the petitioner, on whose possession, one stolen Motorcycle and a Mobile as well as a knife was recovered and there is no recovery of country made pistol and Ganja from other accused of this case.

Earlier bail application of the petitioner was rejected by the then Co-ordinate Bench of this Court vide Cr. Misc. No. 85945 of 2019 under order dated 14.01.2020 annexed as Annexure-1 to the present application.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 16.10.2019. The petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. There is no recovery of arms or contraband substance from possession of the petitioner. Arms and 370 Grams Ganja are said to have been recovered from possession of other co-accused Md. Irfan. There is no compliance of Section 100 of Cr.P.C. Other co-accused have been granted bail by another Co-ordinate Benches of this Court



vide Cr. Misc. No. 80868 of 2019 under order dated 04.06.2020
and Cr. Misc. No. 87010 of 2019 under order dated 27.05.2020.

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 Ist Additional Sessions Judge, Gopalganj, in connection
with Sidhwalia P.S. Case No. 190 of 2019 (Tr.No. 23/2019).

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)

U.K./-

U		T	
---	--	---	--

