

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22072 of 2020

Arising Out of PS. Case No.-246 Year-2019 Thana- SINGHESHWAR District- Madhepura

Sagarkumar @ Sagar Kumar Singh, son of Subhash Kumar Singh, resident of
village – Patori, P.S.- Singheshwar, Distt.- Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar

For the Opposite Party/s : Mr. Ram Chandra Sahni

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 12-08-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State, through video
conferencing.

The petitioner seeks regular bail in connection with
Singheshwar Police Station Case No. 246 of 2019, registered for
the offences punishable under Sections 25(1-b)a/26/35 of the
Arms Act.

This is the second attempt on behalf of the petitioner
for grant of regular bail. Earlier, the prayer for regular bail of the
petitioner was rejected by this Court, vide order, dated
29.01.2020, passed in Criminal Misc. No. 4995 of 2020, giving
liberty to the petitioner to move an application for grant of
regular bail afresh if the petitioner remains in custody for six



months or charges have been framed against him, whichever is earlier.

The allegation against the petitioner is that his motorcycle was intercepted and a loaded country-made pistol was recovered from his possession.

Learned Counsel for the petitioner submits that the petitioner has remained in custody for about nine months. He further submits that he has falsely been implicated in this case inasmuch as the procedure prescribed under Section 100 of the Code of Criminal Procedure, 1973 regarding search and seizure has not been followed.

After having heard learned Counsel for the parties and taking into consideration the fact that the petitioner has remained in custody for more than nine months and is having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Accordingly, let the petitioner, above named, be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura, in connection with Singheshwar Police Station Case No. 246 of



2019.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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