

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 21047 of 2020**

Arising Out of PS. Case No.-182 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

SANJAY PANDEY Son of Raghubansh Pandey Resident of Village - Situahi,
Rampur Asli, P.S.- Sahebganj, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : MrYashraj Bardhan, Advocate

For the Opposite Party/s : Mr Parmanand Kumar, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 31-08-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

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

The petitioner seeks bail in Sahebganj Police Station (for brevity, *PS*) Case No 182 of 2020 dated 14.04.2020 instituted for the offence punishable under Section (s) 25 (1-b)a/26/35 of Arms Act.



The prosecution story, as per first information report, is that, acting on secret information, the police party intercepted two persons and the petitioner is one who was apprehended. The recovery of two live cartridges of .315 bore, apart from one MI Company Mobile Phone, is alleged from the petitioner.

Petitioner's counsel submits that it is a case of false implication based on extraneous considerations at a time when the petitioner was returning from Maharashtra, where he was earlier working as a migrant labourer, during the pandemic. It is submitted that the petitioner is on bail in Madhuban PS Case No 285 of 2017, earlier pending against him. He is in custody in this case since 15.04.2020.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate I (West), Muzaffarpur in connection with Sahebganj PS Case No 182 of 2020 dated 14.04.2020 subject to the following conditions:-

- (i) That one of the bailors will be a close relative of the



petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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