

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.21166 of 2020**

Arising Out of PS. Case No.-331 Year-2019 Thana- MANIYARI District- Muzaffarpur

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RANDHIR KUMAR, Son of Gauri Shankar Mahto, Resident of Village-
Maghaul, P.S.-Kudhni, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanchay Srivastava, Adv.

For the Opposite Party/s : Mr.Anil Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 29-06-2020 Learned counsel for the petitioner undertakes to remove the defects, if any, within three weeks from the date of start of normal functioning of the Court.

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

The petitioner in the present case is seeking regular bail in connection with Maniyari P.S. Case No.331 of 2019 registered for the offences punishable under Sections 399, 402, 414, 467, 468 and 471 of the Indian Penal Code and Sections 25(1-b)a/26/35 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Learned counsel submits that nothing incriminating has been recovered from the possession of this petitioner and the petitioner has



no criminal antecedent. Petitioner is in custody since 20.12.2019.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that as per prosecution version the petitioner was arrested from a premise which is having an open boundary wall and the allegation is that 5-6 persons had assembled there and were planning to commit loot but in course of search from the possession of the petitioner only one mobile was recovered, no arm or weapon was recovered from the possession of the petitioner and further that the petitioner has got no criminal antecedent, he is in custody since 20.12.2019, investigation against him is complete and there is no submission on behalf of the State that the release of the petitioner at this stage is in any way likely to interfere with the course of trial, let the petitioner above named be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Maniyari P.S. Case No.331 of 2019, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission



of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

This application is allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

