

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23801 of 2020

Arising Out of PS. Case No.-98 Year-2020 Thana- BARH District- Patna

ABHISEK KUMAR @ GOLU Son of Sambhu Saran Singh Resident of
Village - Rewar, P.S.- Pakribarwa, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Singh, Adv

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 10-11-2020 Heard Mr. Rakesh Bihari Singh, learned counsel for
the petitioner and Mr. Md. Nazir Ansari, Additional Public
Prosecutor for the state through video conferencing.

2. Petitioner seeks regular bail in connection with
Barh PS Case No. 98/2020 registered for the offence punishable
under Sections 25 (1-b) a, 26, 35 of the Arms Act and 20/22 of
the NDPS Act.

3. The allegation, as per First Information Report, is
that the police on the basis of secret information proceeded
towards the place of occurrence and arrested altogether nine
persons and from the possession of petitioner one country made
loaded pistol and a cartridge have been recovered. It is also
alleged that some mobiles, along with other articles including
1.2 Kilograms of Ganja from the possession of other co-accused
persons have also been recovered.



4. Learned counsel for the petitioner submits that the petitioner has got no criminal antecedents and he has falsely been implicated in this case with oblique motive. Learned counsel for the petitioner further submits that Narcotic and Psychotropic substance has not been recovered from the possession of the petitioner and he is in custody since 04.03.2020. Learned counsel for the petitioner further submits that co-accused, Ashish Kumar @ Golu has been granted bail by this Court in Cr. Misc. No. 25370/2020.

5. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that similarly situated co-accused, Ashish Kumar @ Golu has been granted bail by this Court and petitioner is in custody since 04.03.2020 having no criminal antecedents, I am inclined to grant regular bail to the petitioner subject to the conditions that (1) The petitioner shall fully co-operate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner, (2) Both the bailors shall be resident of the territorial jurisdiction of the learned court below, (3) The petitioner shall not leave the country without permission of the learned trial court.



6. Accordingly, let the petitioner, ABHISEK KUMAR @ GOLU be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII, Patna in connection with Barh PS Case No. 98/2020.

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

(Anil Kumar Sinha, J)

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