

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22667 of 2020

Arising out of PS. Case No.-318 Year-2019 Thana- BELHAR District- Banka

=====

Ravi Choudhary @ Ravi Kumar Choudhary, Son of Ashok Kumar Chaudhary
@ Ashok Prasad Choudhary Resident of Village- Chirouta Tola, Chirauta,
P.S.- Belhar, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate
For the Opposite Party/s : Mr.APP

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-09-2020 The Court proceeding has been conducted through
virtual mode.

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

Since the court proceeding in physical mode is non-
functional, due to present pandemic, COVID-19, the matter is
listed with defects.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks of resumption of court
proceeding in physical mode. In the eventuality of non-removal
of defects within undertaken period, the office will place the
matter before the bench.

The petitioner is languishing in custody since



12.10.2019 in a case registered for the offence punishable under Sections 25(1-B)a/26 of the Arms Act , hence, the prayer for bail has been made through the present application.

The prosecution case, as per the self-statement of Mr. Vinod Kumar, S.I.-cum-Officer-in-Charge, Belhar P.S., recorded on 11.10.2019, is to the effect that a confidential information was received by one CRPF Constable that one veteran criminal namely Ravi Chaudhary, the petitioner having serious criminal antecedent is moving in the area with arms and planning to commit some crime, consequently, one Scorpio vehicle was intercepted from which the petitioner was apprehended and from the possession of the petitioner one loaded country-made pistol and two live cartridges and from the vehicle two mobiles and Rs. 8,500/- were recovered.

It is submitted by learned counsel for the petitioner that the investigation has already been concluded and the petitioner is accused in five other cases but he is on bail in those cases and, in fact, he has been framed by the police in the present case.

Learned APP for the State submits that the recovery has been made from the possession of the petitioner and he is having criminal antecedent.



Considering the fact that the investigation has already been concluded and in other cases the petitioner is on bail, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Belhar P.S. Case No. 318 of 2019.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond upon furnishing an undertaking by the surety, on photo copy of his Aadhar Card, to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties, including one surety given at the time of provisional bail, of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Belhar P.S. Case No. 318 of 2019.

The learned Court below is at liberty to further extend the period of provisional bail if the court proceeding in physical



mode will not resume in next three months.

Accordingly, the application stands disposed of.

(Dinesh Kumar Singh, J)

Vikash/-

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

