

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.22456 of 2020**

Arising Out of PS. Case No.-200 Year-2019 Thana- WAJIRGANJ District- Gaya

NAVIN KUMAR @ NAVIN SINGH @ NAVIN KUMAR SINGH Son of
Ramnivas Sharma @ Ram Janam Singh Resident of Village- Samsara, P.S.-
Main (Pai Bigha O.P.), Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajesh Kumar, Adv.

For the Opposite Party/s : Mr.Binod Kumar No.III.

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

3 05-10-2020 Heard learned counsel for the petitioner and Mr.
Binod Kumar No.-III, learned APP for the State.

This is the second attempt of the petitioner to obtain
bail in connection with Wazirganj P.S.Case No.200/2019
registered for the offences punishable under Sections 25(1-
B)A/26 of the Arms Act.

Learned counsel for the petitioner submits that
considering the nature of dispute arising out of a land dispute
and that the petitioner had criminal antecedents this Court had
declined to grant regular bail to the petitioner but a liberty was
granted to the petitioner to renew his prayer for bail after a
reasonable period. Learned counsel further submits that the
petitioner is on bail in all those cases mentioned in paragraph ‘3’



and it will appear that he has remained in custody in connection with this case since 05.07.2019 and since 28.02.2020 after framing of charge no prosecution witness has appeared though during the Corona period the evidences could not have been taken up and the witnesses have now been summoned, the release of the petitioner at this stage is not likely to interfere with the course of trial and as per observation of this Court the petitioner is renewing his prayer for bail 9 months after the earlier rejection.

Learned counsel submits that the facts and circumstances of the case also suggests that the dispute is that of a land dispute.

On the other hand, learned APP for the State has though opposed the prayer for regular bail of the petitioner but in course of argument learned APP accepts that the present case arises out of a land dispute and the petitioner has remained in custody in connection with this case for over one year in a Magistrate triable case and normally in such cases considering the period of custody of over one year this Court has been granting the regular bails.

Considering the facts and circumstances of the case and taking note of the submissions recorded hereinabove, this



Court directs release of the petitioner on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of Smt. Neha Tripathi, learned J.M.-1st Class, Gaya in connection with Wazirganj P.S. Case No.200 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.

The petitioner will appear in course of trial on each and every date fixed before the learned trial court and two



consecutive defaults on the part of the petitioner in putting his
appearance without grant of leave by the learned trial court
would invite cancellation of bail.

(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'.

