

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 24558 of 2020

Arising Out of PS. Case No.-8 Year-2020 Thana- BHAGWANPUR District- Begusarai

Laxman Kumar, aged about 24 years, Male, Son of Sanjay Sah @ Alaadat Sah, R/o Village- Desri, P.S.- Bibhutipur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandan Kumar Kashyap, Advocate
For the State : Mr.Abhay Kumar Ray, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-09-2020

Heard the parties through the virtual court proceeding.

Since physical court proceeding is not functioning due to present Pandemic Covid-19, the matter is listed with defect.

Learned counsel for the petitioner undertakes to remove the defect within three weeks of normal functioning of the court after the lockdown, failing which the office is directed to place the matter before the Bench.

The petitioner seeks bail in connection with Bhagwanpur P.S. Case No. 08 of 2020 registered for the offences punishable under Sections 399, 402 of the Indian Penal Code and Sections 25(1-B)a, 26, 27/35 of the Arms Act.

The allegation against the petitioner is that he along with other co-accused were planning to commit dacoity and on the basis of secret information, he along with other co-accused persons were apprehended from the place of occurrence by the police and from the possession of some of the co-accused persons loaded country made pistols were recovered whereas from the possession of the petitioner two fired cartridges were



recovered.

Learned counsel for the petitioner submits that the petitioner has got no any criminal antecedent mentioned in paragraph-3 of the bail petition and he has falsely been implicated in this case and petitioner is in jail custody since 13.01.2020. He further submits that similarly situated co-accused have been granted bail by Co-ordinate Bench of this Court.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, let the above named petitioner be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned C.J.M., Begusarai in connection with Bhagwanpur P.S. Case No. 08 of 2020.

However, the court below is directed to verify the criminal antecedent of the petitioner before accepting the bail bond.

(Anjani Kumar Sharan, J)

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