

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24498 of 2020

Arising Out of PS. Case No.-22 Year-2020 Thana- UDAKISHUNGANJ District- Madhepura

PAWAN KUMAR Son of Sree Kant Goswami @ Ramji Goswami Resident of
Village- Pipra Karanti, Ward No. 2, P.S.- Uda Kishunganj, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Sanjay Kumar Singh, Adv.

For the Opposite Party/s : Mr. Shantanu Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 24-09-2020 Heard learned counsel for the petitioner and learned APP
for the State, through video conferencing.

A number of defects have pointed out by the stamp
reporter. The counsel for the petitioner is directed to remove the same
within three weeks after the normal functioning of the Court
commence.

The petitioner has filed the instant application for grant of
regular bail in connection with Udakishunganj P.S. Case No. 22 of
2020 registered under sections 25(1-B)(a), 26 and 35 of the Arms
Act.

As per allegation in the FIR, on a Maruti Alto vehicle
being stopped and searched by the police personnel, it is stated that
the five persons including the petitioner herein attempted to escape
but were caught. It is further stated that two live cartridges were
recovered from a packet which was behind the seat where the
petitioner was sitting.



It is submitted by learned counsel for the petitioner that no recovery as alleged has taken place from the possession of the petitioner, who has no criminal antecedent and he is in custody since 3.2.2020. Investigation in the case has concluded. It is further submitted that co-accused Rakesh Kumar has been enlarged on bail vide order dated 29.6.2020 passed in Cr. Misc. No. 19918 of 2020 (Annexure-1)

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner being in custody since 3.2.2020, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Udakishunganj P.S. Case No. 22 of 2020 on furnishing bail bond of Rs. 10,000/ (Rs. ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Uda-Kishunganj, Madhepura.

(Partha Sarthy, J)

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