

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23534 of 2020

Arising Out of PS. Case No.-36 Year-2020 Thana- TEGHRHA District- Begusarai

HIMANSHU KUMAR @ RAM BILASH S/O LDipak Kumar @ Biltu @
Dipak Kuwar @ Deepak Kumar Resident of Village - Daniyalpur Tola, P.S. -
Teghra, District - Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate
For the Opposite Party/s : Mrs. Rita Verma, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 21-09-2020 As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Teghra PS Case No. 36 of 2020 registered under Sections 25(1-b)a/26 of the Arms Act.

The informant S.I. on secret information regarding petitioner's whereabouts had gone to the place from where he has been apprehended in connection with earlier Teghra PS Case No. 34



of 2020. One loaded pistol and one mobile phone are allegedly recovered from him.

The recovery, as per submission of learned Counsel for the petitioner, is not in accordance with law. He submits that it is a case of false implication on extraneous consideration and that the petitioner is in fact a law abiding student. He is in custody since 2.2.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Begusarai in Teghra PS Case No. 36 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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