

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24606 of 2020

Arising Out of PS. Case No.-54 Year-2020 Thana- KAUWAKOL District- Nawada

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1. VIKASH KUMAR @ VIKASH YADAV Son of Sudama Yadav Resident of Village- Itabandh, P.S.- Chandradeep, District- Jamui.
 2. Nitish Kumar Son of Sudama Yadav Resident of Village- Itabandh, P.S.- Chandradeep, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Prasad

For the Opposite Party/s : Mr. Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 22-09-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsel are appearing and making submissions from their residence. The Court master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

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

Learned counsel for the petitioners is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by



office when called upon.

The petitioners seek bail in Kawakole P.S. Case no. 54 of 2020 instituted for the offence under Section(s) 399,402 of the IPC and Section 25(1-b)A/26/35 of the Arms Act.

The recovery of a country made pistol with one loaded cartridge is alleged from petitioner no.1 and two live cartridges is alleged to have been recovered from the petitioner no.2.

It is submitted that petitioners are having clean antecedent and seizure list bears P. S. case no. which manifests false implication of the petitioners in the instant case.

Petitioners are in custody since 28.2.2020.

The learned APP opposed the prayer for bail.

Considering the aforesaid, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of the ACJM Ist Nawada, in connection with Kawakole P.S. Case no. 54 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also



undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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