

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23930 of 2020

Arising Out of PS. Case No.-32 Year-2020 Thana- LAHERIYASARAI District- Darbhanga

SHYAM BABU RAY Son of Umesh Ray Resident of Village- Belsandi, P.S.-
Chakmehsi, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad, Adv

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-09-2020 Heard Mr. Bijay Bhushan Prasad, learned counsel
for the petitioner and Mr. Sanjay Kumar Pandey, Additional
Public Prosecutor for the state through video conferencing.

Petitioner seeks regular bail in connection with
Laheriasarai PS Case No. 32/2020 registered for the offence
punishable under Section 25(1-b) A/26/35 of the Arms Act.

The allegation against the petitioner as per First
Information Report is that the police recovered a country made
pistol along with 15 cartridges from the possession of the
petitioner.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and has falsely been implicated in this case with oblique motive.
Learned counsel further submits that petitioner has got no



criminal antecedents, however, after arrest of the petitioner in this case, he has been remanded in one more case bearing Simri PS Case No. 101/2019. Learned counsel next submits that similarly situated co-accused, Amit Chaudhary has already been granted bail by this Court vide Cr. Misc. No. 19622/2020 from whose possession one loaded pistol and 10 cartridges were recovered. Petitioner is in custody since 14.01.2020.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that similarly situated co-accused, Amit Chaudhary has been granted bail by this Court vide Cr. Misc. No. 19622/2020 and petitioner is in custody since 14.01.2020 , I am inclined to grant regular bail to the petitioner subject to the condition that petitioner will be well represented on each and every date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

Accordingly, let the petitioner, SHYAM BABU RAY be released on bail, if he is not required in any other case, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with Laheriasarai PS Case No. 32/2020.



It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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