

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24542 of 2020**

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

Rahul Kumar @ Rahul Kumar Mahto, aged about 24 years, Male, Son of Deepak Mahto, Resident of Village- Sakarpur, P.S.- Bakhri, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                    |
|----------------------|---|------------------------------------|
| For the Petitioner/s | : | Mr.Chandan Kumar Kashyap, Advocate |
| For the State        | : | Mr.Dilip Kumar No.1, 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.

As per prosecution case, the police, on receipt of secret information, raided the house of Damodar Paswan and found 10 persons assembled there to commit a crime. The police arrested six persons including the present petitioner from the



spot and three persons managed to flee away. One country made pistol and one cartridge have been recovered by the police from the possession of the petitioner. Petitioner is in jail custody since 13.01.2020 and he further submits that the petitioner has got no any criminal antecedent mentioned in paragraph-3 of the bail petition. He further submits that similarly situated co-accused has been granted bail by difference Benches of this Co-ordinate Bench of this High 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)**

Nasimul/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

