

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.30535 of 2020**

Arising Out of PS. Case No.-80 Year-2020 Thana- PIRO District- Bhojpur

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WAKIL KUMAR @ VAKIL KUMAR Son of Dhariman Singh @ Dharichan
Singh Resident of Village - Rajapur, P.S.- Piro, District - Bhojpur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 23-11-2020 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner in the present case is seeking regular

bail in connection with Piro P.S. Case No. 80 of 2020 registered

for the offences punishable under Sections 399, 402, 414 of the

Indian Penal Code and Sections 25(1-b)A/26 of the Arms Act.

Learned counsel for the petitioner submits that on

perusal of the First Informant Report itself it will appear that the

petitioner was arrested by police but in course of search only a

mobile phone was recovered from possession of the petitioner.

It is submitted that the co-accused similarly situated



have been granted regular bail by learned Co-ordinate Benches of this Court in Cri. Misc. No. 25569 of 2020 and Cri. Misc. No. 25988 of 2020. It is also submitted that the petitioner is in custody in connection with this case since 21.03.2020.

Learned APP for the State has though opposed the prayer for regular bail of the petitioner but considering the facts and circumstances of the case, there being no recovery of any arms or ammunition and the co-accused have been granted bail by learned Co-ordinate Benches of this Court, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 5th, Bhojpur at Ara in connection with Piro P.S. Case No. 80 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person



acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner.

This application is allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

