

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28732 of 2020

Arising Out of PS. Case No.-182 Year-2020 Thana- SAHPUR District- Patna

HAZARI RAI @ HAJARI RAI @ HAJARI RAY Son of Vakil Rai R/o
Sherpur, P.S.- Maner, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate.

For the Opposite Party/s : Md. Arif, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-11-2020 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Since the physical court proceeding is non-functional, due to present pandemic, COVID-19, the matter is listed with defects.

Learned counsel for the petitioner undertakes to remove the defects within three weeks of resumption of physical court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Section 25 (1-b)a & 26/35 of the Arms Act.

The prosecution case, in brief, is that while the



informant along with the police force, in course of patrolling duty, reached Shankarpur Diyara, Phutani Bazar, after seeing the police party, the petitioner along with other co-accused tried to escape but any how the police party apprehended them and from the possession of the petitioner two live cartridges are said to have been recovered.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case by the police while he was passing through the place of occurrence at the time of occurrence. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is also submitted that the cartridge without the firearm is of no use. The petitioner has no criminal antecedent as stated in paragraph-3 of this bail application and has been languishing in custody since 20.05.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, **after verifying the fact that he has no criminal antecedent**, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two



sureties of the like amount each to the satisfaction of the learned
Additional Chief Judicial Magistrate-I, Danapur in connection
with Shahpur P.S. Case No.182 of 2020.

(Anjani Kumar Sharan, J)

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