

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28876 of 2020**

Arising Out of PS. Case No.-74 Year-2020 Thana- KHAGARIA District- Khagaria

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AVINASH KUMAR S/o Late Ajay Yadav Resident of Village-Jai Prakash
Nagar, P.S.-Khagaria, District-Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh
For the Opposite Party/s : Mr.Mrityunjay Kr. Gautam

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 13-11-2020 The present petition has been taken up for

consideration through the mode of Video Conferencing in view

of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner and

Sri Mrityunjay Kr. Gautam, the learned APP for the State.

The petitioners seek regular bail in connection

with Khagaria (Chitragupta Nagar) PS case no. 74 of 2020

instituted for the offences punishable under Sections

25(1-B)A/26 of Arms Act.

The allegation is regarding recovery of one

countrymade pistol and four live cartridges from the petitioner

after he was apprehended by the police and search was made.

The learned counsel for the petitioner has

submitted that the petitioner is innocent, has been falsely



implicated in the present case and is languishing in custody since 28.01.2020. It is further submitted that the petitioner is accused in six other cases but he is on bail in all the cases and further, the petitioner undertakes to abide by such conditions as may be deemed fit and appropriate to be imposed upon him.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the parties and taking into account the period of incarceration of the petitioner as also the fact that he is on bail in other cases, in which he is an accused, I deemed it fit and appropriate to direct for release of the petitioner on bail, however subject to certain conditions. Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Khagaria (Chitragupta Nagar) PS case no.74 of 2020.

This Court further directs that since the investigation of the present case is going on, the petitioner herein shall appear before the Officer-in-charge of the concerned police station on each and every Monday of the week at 10.00 AM and co-operate with the Investigating Officer and



in case of two consecutive defaults in appearing before the said
Officer-in-charge, the present privilege of bail being granted to
the petitioner herein shall stand cancelled automatically and the
petitioner would be taken into custody forthwith.

(Mohit Kumar Shah, J)

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