

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29779 of 2020**

Arising Out of PS. Case No.-236 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

PRINCE KUMAR Son of Amod Ray Resident of Village- Senduari, P.S.-  
Hajipur Sadar, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ansul

For the Opposite Party/s : Mr. Raj Ballav Prasad, APP.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      11-11-2020                      Due to COVID-19 Pandemic, the matter is being  
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For  
Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to  
remove the defects, as pointed out by the Office, within a period  
of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in a case instituted for the  
offences under Sections 399, 402, 413, 414 of the Indian Penal  
Code and 25(1-b)a, 26, 27 and 35 of the Arms Act.

Prosecution case, in short, is that one loaded country  
made pistol along with one live cartridge is recovered.



It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.04.2020 and has got no criminal antecedent. Charge-sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that one loaded country made pistol along with one live cartridge is recovered. There is no recovery of arms from the possession of the petitioner. Arms is said to have been recovered from the possession of other co-accused. The petitioner has been made accused due to mistake of fact.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 236 of 2020.

**(Sudhir Singh, J)**

Pankaj/-

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