

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29748 of 2020

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

RAHUL KUMAR S/o Shyam Kishore Singh R/o Village- Panapur Langa,
P.S.- Hajipur Sadar, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi

For the Opposite Party/s : Mr. Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-11-2020 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 defect(s), as pointed out by the office, within a
period of four weeks after restoration of normalcy.

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

The petitioner seeks bail in a case registered under
Sections 399, 402, 413 & 414 of the Indian Penal Code and
Section 25(1-B)a/26/35 of the Arms Act.

Allegedly, one loaded country made pistol along with one
live cartridge is recovered in this case.



It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 13-04-2020. Charge sheet has already been submitted. One loaded country made pistol along with one live cartridge is said to have been recovered from possession of co-accused. There is no recovery of arms from possession of the petitioner. The petitioner has been made accused in the present case due to mistake of fact. There is no compliance of Section 100 Cr.P.C.

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

Considering the aforesaid facts and circumstances, let 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)

A.K.V.//-

U		T	
---	--	---	--

