

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31973 of 2020**

Arising Out of PS. Case No.-299 Year-2019 Thana- BIBHUTIPUR District- Samastipur

Vikash Kumar Rai, S/o Late Bharat Rai Resident of Village-Manarai Tol,  
Police Station-Bibhutipur, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                 |
|--------------------------|---|---------------------------------|
| For the Petitioner/s     | : | Mr. Praveen Kumar- Advocate     |
|                          |   | Mr. Mirityunjay Kumar- Advocate |
| For the Opposite Party/s | : | Ms. Gulnar Begum- A.P.P.        |

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR  
SRIVASTAVA**

ORAL ORDER

2      03-12-2020      Learned counsel for the petitioner assures that he shall remove the defects, as pointed out by the office, within four weeks when Court starts physical function.

Heard learned counsel appearing for the petitioner as well as learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioner is in custody since 03.12.2019 and seeks bail in connection with Bibhutipur/ Vibhutipur P. S. Case No.299 of 2019 registered for the offences punishable under Sections 25(1-B)(a)/ 26/ 27 of the Arms Act.

One country-made pistol, five live cartridges and one miss fire cartridge are said to have been recovered from the possession of petitioner. Petitioner does have criminal antecedent of six cases.



Submission on behalf of the petitioner is that petitioner was taken into custody by the police on 25.11.202019 from a mob, but he was produced before the concerned Magistrate on 03.12.2019 and the aforesaid circumstance shows the malice of the police. He further submits that so far as criminal antecedent of the petitioner is concerned, petitioner has already been granted privilege of bail in most of the cases.

Considering the period of detention as well as submissions of the parties, let the petitioner, above named, be released on bail provisionally till four weeks from the date when Court starts physical function, on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- IInd, Rosera in connection with Bibhutipur/ Vibhutipur P. S. Case No.299 of 2019.

However, it is made clear that if, petitioner removes the defects within the above stated period, the provisional bail shall be deemed to be confirmed.

**(Hemant Kumar Srivastava, J)**

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