

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35048 of 2020

Arising Out of PS. Case No.-47 Year-2020 Thana- BASANHI District- Saharsa

Ashish Kumar, Son of Sachendra Yadav @ Sachen Yadav, Resident of village- Balaitha, Ward no. 4, Mahuapatti, P.s.- Basnahi, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rashmi Jha

For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-12-2020 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 as pointed out by the office within three weeks of normal functioning of the court, failing which the office is directed to place the matter before the Bench.

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

The allegation against the petitioner alongwith other accused persons is of committing crime. He was caught on spot with a loaded country made pistol and on his disclosures,



there were further recoveries as in a group and gang of habitual criminals.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to suspicion. As per FIR, one country made pistol and one live cartridge was recovered from the possession of the petitioner. The petitioner is in custody since 27.05.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail application.

Learned APP for the State opposes the prayer for bail petition.

In the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (rupees twenty five thousand) with two sureties of the like amount each in connection with Basnahi P.S. Case No. 47/2020 to the satisfaction of the learned A.C.J.M.-III, Saharsa.

However, the learned court below is directed to verify the criminal antecedent of the petitioner.

(Anjani Kumar Sharan, J)

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