

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73300 of 2019

Arising Out of PS. Case No.-319 Year-2018 Thana- SAHPUR District- Patna

HARENDRA KUMAR @ LOTH A GOPE @ LOTH A RAI, Son of Krishna Rai @ Krishna Ray, Resident of Village - Turha Toli, P.S. - Shahpur, Distt. - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Dashrath Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 09-06-2020 The matter has been taken up through Video Conferencing.

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

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

One loaded pistol was allegedly recovered from possession of the petitioner. Considering the criminal antecedent of the petitioner earlier prayer for bail was refused on 16.04.2019 with direction to the learned Trial Judge to expedite the trial.

Petitioner is in custody since 22.10.2018.

The report of the learned Trial Judge dated 17.01.2020 would reveal that charges were framed on 07.12.2019 and thereafter no prosecution witness has turned up.

Considering the period already undergone by the



petitioner and no chance of conclusion of the trial in near future due to COVID effect, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Shahpur Police Station Case No. 319 of 2018, subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The petitioner shall not leave the country without permission of the learned court below.

If the petitioner would not be able in furnishing sureties due to lockdown, he shall be provisionally released on his personal bond and the provisional bail shall be confirmed only after production of the bailors within fifteen days of restoration of normal function of the Court.

(Birendra Kumar, J)

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