

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.84764 of 2019**

Arising Out of PS. Case No.-648 Year-2019 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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SUNIL KUMAR @ SUNIL RAI S/o Mahendra Rai @ Prabhu Rai @
Mahendra Kumar Yadav R/o Village- Kanti Kasba, Ward No. 4, P.S.- Kanti,
District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar, Advocate

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 27-05-2020 This application has been placed for consideration by

the order of the Hon'ble the Chief Justice through virtual court

proceeding.

Heard learned counsel for the petitioner and Mr.

Pramod Kumar Pandey, learned APP for the State.

The petitioner in the present case is seeking regular

bail in connection with Kanti P.S. Case No. 648 of 2019

registered for the offences punishable under Sections 25(1-b)a,

26, 35 of Arms Act.

Learned counsel for the petitioner submits that no arm

and ammunition have been recovered from the possession of

this petitioner. The co-accused Vikash Kumar from whose

possession one country-made 9mm loaded pistol along with four



live cartridges were recovered has been granted regular bail by learned Coordinate Bench of this Court in Cri. Misc. Case No. 84941 of 2019.

Learned APP for the State is present and has not disputed the aforesaid contention.

In the given facts and circumstances of the case, considering that the co-accused Vikash Kumar has already been granted privilege of regular bail, the petitioner is in custody since 28.08.2019 and it is not the submission of the State that his release at this stage is likely to adversely influence the trial, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. (West), Muzaffarpur in connection with Kanti P.S. Case No. 648 of 2019, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, or the commission of which he is suspected, and

(c) that such person shall not, directly or indirectly,



make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

This application stands disposed of.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

