

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.83888 of 2019**

Arising Out of PS. Case No.-77 Year-2019 Thana- BEERPUR District- Begusarai

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Gautam Kumar Son of Sri Ajay Singh Resident of Village - Birpur, P.S.-  
Birpur, District- Begusarai ... .. Petitioner/s

Versus

The State of Bihar ... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Babita Kumari

For the Opposite Party/s : Mr.Ahmad Ali

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

4      27-05-2020                      Heard learned counsel for the petitioner and the  
  
counsel appearing on behalf of the State.

Petitioner is in custody in connection with Birpur P.S.  
  
Case No. 77 of 2019    for the offence under sections 364, 302,  
201, 387, 120B/34    of the Indian Penal Code and Section 27 of  
the Arms Act.

Learned counsel for the petitioner fairly submits that  
  
petitioner was earlier made accused in a case under Bihar Excise  
and Prohibition Act. He is also accused in this case    for the  
offence under the Arms Act.

Referring to prosecution case, learned counsel for the  
  
petitioner would submit that in fact from the First Information  
Report given    to the police    it was reported that    some unknown  
miscreants have abducted Prithvi Chandra Choudhary. However,  
when the police rushed the place of occurrence, the police  
arrested one Bikram Kumar and Raj Kumar and on the basis of



confessional statement of Raj Kumar and Bikram Kumar, the petitioner and others have been made accused in the instant case.

Counsel appearing on behalf of the petitioner submits that in the present case co-accused Puspesh Kumar @ Puspesh Kuma @ Puspesh Singh has been granted bail by a coordinate bench of this Court in Cr. Misc. No. 68328 of 2019 vide order dated 15.10.2019 whereas other co-accused Mritunjay @ Mritunjay Kumar has been granted bail by another coordinate bench of this Court in Cr. Misc. No. 72925 of 2019.

Considering the fact that other co-accused has been granted bail and the petitioner is in custody in this case since 15.6.2019 the Court is inclined to grant bail to the petitioner, let the petitioner, named above, be enlarged on bail on furnishing his personal bond to the satisfaction of learned A.C.J.M.-1st, Begusarai, in connection with Birpur P.S. Case No. 77 of 2019 on account of total lock-down due to Covid-19 pandemic.

**(Anil Kumar Upadhyay, J)**

Ravi/-

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