

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16375 of 2021**

Arising Out of PS. Case No.-491 Year-2019 Thana- KORHA District- Katihar

ARNAB DAS@ ARNAB KUMAR S/o Samar Nath Das R/o village-
Chandpur, P.S.- Kadwa, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Adv

For the Opposite Party/s : Ms. Pushpa Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 14-09-2021 In view of sudden resurgence of COVID – 19
infection there is limited functioning of the High Court and
therefore the matter has been listed for consideration through
virtual mode.

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

This Court would expect that the petitioner's
Counsel would honour his undertaking in the instant
proceedings regarding supply of requisite court fee etc. within
two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Korha P.S.
Case No. 491 of 2019 registered under Sections 399 and 402 of
the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of Arms
Act.



One loaded country-made pistol has been recovered from the petitioner, when the police have arrived on intimation that there is an assembly of criminals for committing some occurrence. He is said to be one of the five apprehended persons from the place.

Petitioner's counsel submits that the recovery is contrary to the procedure prescribed by law. He is on bail in four cases pending against him since before as per disclosure made in para 3. His false implication is on basis of his antecedents and he has remained in custody since 30.11.2019.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in Korha P.S. Case No. 491 of 2019, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to



how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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