

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35639 of 2021

Arising Out of PS. Case No.-72 Year-2020 Thana- KUDHNI District- Muzaffarpur

SUDHANSHU KUMAR Son of Shiv Balak Rai @ Shiv Balak Roy Resident
of Village - Chandrahiya, P.S. - Kudhni (Turki o.P.), District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Adv.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-07-2021 Heard Mr. Nachiketa Jha, learned counsel for the
petitioner and Mr. Nirmal Kumar Sinha, Additional Public
Prosecutor for the State through video conferencing.

Petitioner seeks regular bail in connection with
Kudhani PS Case No. 72/2019 registered for the offence
punishable under Sections 25(1-b) a, 26, 35 of the Arms Act.

This is the second attempt for bail on behalf of
petitioner inasmuch as earlier bail application of the petitioner
was rejected *vide* Cr. Misc. No. 21862/2020 dated 27.08.2020
(Annexure-1) with liberty to renew his prayer for bail after six
months.

The allegation against the petitioner, as per First
Information Report, is that one loaded country made pistol
along with two live cartridges were recovered from his



possession.

Learned counsel for the petitioner submits that petitioner is in custody since 10.02.2020 and the charge-sheet, in the matter, has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence, if he is released on bail. Learned counsel referring to para-8 of the instant petition, submits that there is no progress in this case before the trial court.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is in custody since 10.02.2020, the charge-sheet, in the matter, has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence, if he is released on bail and this is second attempt for bail by the petitioner, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, SUDHANSHU KUMAR be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1st, Muzaffarpur (West)/concerned court in connection with Kudhani PS Case No. 72/2020.



It is made clear that at the time of furnishing bail bonds all the parties shall follow the covid protocol like social/physical distancing and sporting masks.

(Anil Kumar Sinha, J)

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