

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18641 of 2020**

Arising Out of PS. Case No.-170 Year-2019 Thana- CHERIYA BARIYARPUR District-
Begusarai

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RUPESH KUMAR S/o Rabindra Nath Sharma Resident of Village- Akopur,
P.S.- Cheira Bariarpur, Distt- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikram Deo Singh,
Mr.Chandan Kumar Kashyap, Advocates.
For the Opposite Party/s : Mr. Harendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 25-06-2021 Heard Mr. Vikram Deo Singh, learned counsel for
the petitioner and Mr. Harendra Prasad, Additional Public
Prosecutor for the State through video conferencing.

2. Petitioner seeks regular bail in connection with
Cheria Bariarpur PS Case No. 170/2019 registered for the
offence punishable under Sections 25(1-B)A, 26/35 of the Arms
Act.

3. The allegation against petitioner as per First
Information Report is that he was apprehended along a loaded
country made pistol.

4. Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in the present case with
oblique motive. Learned counsel for the petitioner further



submits that at the time of search and seizure the procedure prescribed under Section 100 CrPC was not followed and after completion of investigation, charge-sheet has already been submitted in the matter under Section 25 (1-B)a/26 of the Arms Act.

5. Learned counsel also submits that petitioner is in custody since 18.11.2019 and there is no likelihood that the petitioner will abscond or tamper with the evidences, if released on bail.

6. 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 18.11.2019, charge-sheet has already been submitted in the matter and there is no likelihood that the petitioner will abscond or tamper with the evidences, if released on bail, I am inclined to grant regular bail to the petitioner subject to the condition that petitioner will be well represented on each and every date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

7. Accordingly, let the petitioner, RUPESH 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,
Manjhaul, Begusarai in connection with Cheria Bariarpur PS
Case No. 170/2019.

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

(Anil Kumar Sinha, J)

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