

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32241 of 2021

Arising Out of PS. Case No.-59 Year-2020 Thana- MAHUA District- Vaishali

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ABHISHEK KUMAR, S/o- LATE NITESH KUMAR SINGH Resident of
Village- Chak Kaji Nizam, P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 01-09-2021 Heard Mr. Krishna Kant Singh, learned counsel for

the petitioner and Mr. Ganesh Prasad Singh, learned Additional

Public Prosecutor for the State.

The petitioner has renewed his prayer for regular bail
in connection with Mahua Police Station Case No. 59 of 2020,
registered for the offences punishable under Sections 25 (1-B), 1,
26, 35 of the Arms Act.

The allegation against the petitioner as per First
Information Report is that the police intercepted the motorcycle
on which three persons were traveling and upon search, the
police recovered a loaded country-made pistol and a live
cartridge from the petitioner and papers of the motorcycle were
not shown to the police.

Learned counsel for the petitioner submits that while



rejecting the bail application earlier, this court had given liberty to the petitioner to renew his prayer after six months, if the trial does not show any progress. Learned counsel for the petitioner further submits that the charges have not been framed against the petitioner till date, as stated in para 8 of the supplementary affidavit filed on behalf of the petitioner,

Regard being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the petitioner is in custody since 05.02.2020 and the trial is not likely to be concluded in near future due to COVID-19 pandemic and this the second attempt on behalf of the petitioner for grant of regular bail, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Mahua Police Station Case No. 59 of 2020, on the condition that the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be



cancelled.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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