

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39017 of 2021

Arising Out of PS. Case No.-62 Year-2020 Thana- BRAHMPUR District- Buxar

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GUDDU BIN @ GUDDU BIND Son of Bira Bin Resident of Village -
Bhariyar, P.S.- Brahmpur (Chakki), District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Santosh Kumar, Mr. Ajit Kumar, Advocates.
For the Opposite Party/s	:	Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-08-2021 Heard Mr. Santosh Kumar, learned counsel for the

petitioner and Mr. Jagdhar Prasad, learned Additional Public

Prosecutor for the State through video conferencing.

Petitioner renews his prayer for regular bail in
connection with Brahmpur (Chakki) PS Case No. 62/2020
registered for the offence punishable under Sections 25(1-b)a,
26, 35 of the Arms Act inasmuch as earlier bail application of
the petitioner was rejected *vide* order dated 14.10.2020 passed
in Cr. Misc No. 26598/2020 (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 the police recovered one loaded
pistol from right pocket and a live cartridge from the left pocket



of the petitioner.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and after first rejection of the bail application of the petitioner the trial has not registered any progress and only charges have been framed and no witness has yet been examined. Learned counsel next submits that petitioner is in custody since 07.02.2020.

Learned counsel further submits that the trial is not likely to be concluded in near future due to existing pandemic of COVID-19 and there is no likelihood that the petitioner will abscond or will tamper with the evidences, if he is released on bail.

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 07.02.2020, trial is not likely to be concluded in near future due to existing pandemic of COVID-19 and there is no likelihood that the petitioner will abscond or will tamper with the evidences, if he is released on bail and this is the second attempt of bail on behalf of petitioner, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, GUDDU BIN @ GUDDU BIND 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 Judicial Magistrate, 1st Class, Buxar/the court concerned in connection with Brahmpur (Chakki) PS Case No. 62/2020.

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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