

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46101 of 2021**

Arising Out of PS. Case No.-204 Year-2019 Thana- ALOULI District- Khagaria

BHAGWAN DAS Son of Upendra Tanti Resident of Village- Dharharwa,  
P.S.- Bithan, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vijay Anand

For the Opposite Party/s : Mr. Akshay Lal Pandit

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      25-08-2021                      Heard Mr. Vijay Anand, learned counsel for the  
petitioner and Mr. Akshay Lal Pandit, learned counsel  
appearing for the State through video conferencing.

Petitioner renews his prayer for bail in connection  
with Alauli P.S. Case No. 204 of 2019 registered for the offence  
under Section 392 of the I.P.C. and Section 27 of the Arms Act  
inasmuch as earlier bail application of the petitioner was  
rejected vide order dated 25/11/2020 passed in Cr. Misc. No.  
30087 of 2020 (Annexure- 1 to the petition ) with liberty to  
renew his prayer for bail after six months.

The allegation as per the First Information Report is  
that the informant was intercepted by three accused persons  
riding on two motorcycles and on point of gun, he was deprived  
of his belongings i.e., a laptop of Samsung make and Rs.



1,16,890/-.

Learned counsel for the petitioner submits that while rejecting the earlier bail application of the petitioner this court had granted liberty to the petitioner to renew his prayer for bail after six months if the trial does not show any progress. Learned counsel referring to paragraph no. 8 of this bail application submits that charges have been framed against the petitioner on 21/01/2021 but no witness has been examined as yet. Learned counsel further submits that the trial is not likely to be concluded due to COVID 19 Pandemic. Learned counsel next submits that the co-accused on whose confessional statement name of petitioner has transpired in this case namely, Golu Yadav @ Vivek Kumar Yadav has been granted bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 17824 of 2021 on 28.07.2021.

Regard being had to the submissions made by the parties, taking into consideration the materials available on record and the fact that petitioner is in custody since 13/03/2020, trial is not likely to be concluded in near future due to COVID 19 Pandemic and the co-accused has been granted bail by a Co-ordinate Bench of this Court and this is second attempt for bail on behalf of the petitioner, I am inclined to grant



regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Khagaria in connection with Alauli P.S. Case No. 204 of 2019.

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

**(Anil Kumar Sinha, J)**

praful/-

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