

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48551 of 2021**

Arising Out of PS. Case No.-610 Year-2019 Thana- MAHUA District- Vaishali

RAJU KUMAR SON OF GYANESHWAR PASWAN Resident of Village -
Bajitpur, P.S.- Bidupur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mukeshwar Dayal, A.P.P.

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

2 01-09-2021 Heard Mr. Mukesh Kumar Singh, learned counsel for
the petitioner and Mr. Mukeshwar Dayal, learned Additional
Public Prosecutor appearing for the State through video
conferencing.

Petitioner seeks regular bail in connection with
Mahua P.S. Case No. 610 of 2019 registered for the offence
punishable under Section 27 of the Arms Act.

This is second attempt for grant of regular bail on
behalf of the petitioner inasmuch as earlier the bail application
of the petitioner was rejected by this Court vide order dated
20.10.2020 passed in Cr. Misc. 26859 of 2020 with liberty to the
petitioner to renew his prayer for grant of regular bail after nine
months.

The allegation as per the First Information Report is



that while the informant was going on his Motorcycle he was intercepted by 03 miscreants, who fired upon the informant and snatched the Motorcycle and other valuables. Due to the said firing made by the criminals, the informant received injuries on his wrist, stomach and thigh.

Learned counsel for the petitioner submits that while rejecting the bail application of the petitioner earlier, this Court had granted liberty to the petitioner to renew his prayer for bail after nine months. Learned counsel next submits that the petitioner is in custody since 10.01.2020 and the trial is not likely to be concluded in near future due to Covid-19 pandemic and similarly situated co-accused Aditya Thakur has been granted bail in by a co-ordinate Bench of this Court in Cr. Misc. 33758 of 2020. Learned counsel also submits that the charge sheet has been submitted in the matter.

Regard being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioner is in custody since 10.01.2020, the charge sheet has already been submitted in the matter and the trial is not likely to be concluded in near future due to Covid-19 pandemic as well as this is second attempt for grant of regular 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 bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Mahua P.S. Case No. 610 of 2020 subject to the following conditions:-

i) that the petitioner shall fully cooperate with the investigation/trial of the case, failing which, the learned court below shall be at liberty to cancel the bail bonds of the petitioner.

ii) that both the bailors shall be resident of territorial jurisdiction of the learned court below.

(iii) that the petitioner shall not leave the country without permission of the learned trial court.

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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