

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50024 of 2021**

Arising Out of PS. Case No.-664 Year-2020 Thana- KHAGARIA District- Khagaria

SANTOSH KUMAR SON OF NAND KISHORE SHARMA Resident of  
Village - Mohanpur, P.s.- Haweli Kharagpur, Distt.- Munger.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Prashant Kumar, Advocate

For the Opposite Party/s : Mr. A. K. Pandit, APP

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

2      22-09-2021                      Heard Mr. Prashant Kumar, learned counsel for the  
  
petitioner and Mr. A.K. Pandit, learned Additional Public  
  
Prosecutor, appearing for the State, through Video conferencing.

Petitioner seeks regular bail in connection with  
Khagaria (Muffasil) P.S. Case No. 664 of 2020, registered for  
the offences punishable under Sections 25 (1-AA)/26(I)(II)/35  
of 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  
09.02.2021, passed in Cr. Misc. No. 40087 of 2021 with liberty  
to renew his prayer for grant of regular bail after six months.

The allegation as per the First Information Report is  
that on the basis of secret information, police raided the shop of

one Anil Kumar Sharma @ Rikku Sharma and seized equipment for manufacturing of fire arm with 28 pieces of partly manufactured pistol and arrested accused person including the petitioner, who were involved in the manufacture of illegal fire arm.

Learned counsel for the petitioner submits that petitioner was working in the brick kiln of Anil Kumar Sharma and he was not involved in any illegal activity of arms manufacturing. Learned counsel next submits that petitioner is student of Intermediate and the antecedent of the petitioner is clean. Learned counsel next submits that the petitioner is in custody since 09.09.2020 and while rejecting the bail application of the petitioner, this Court has granted liberty to the petitioner to renew his prayer after six months.

Regard being had to the submission made by the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 09.09.2020 and the fact that the petitioner is not having any criminal antecedent and the trial is not likely to be concluded in near future due to Covid-19 pandemic and 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, Khagaria, in connection with Khagaria (Muffasil) P.S. Case No. 664 of 2020.

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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