

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37257 of 2020

Arising Out of PS. Case No.-214 Year-2020 Thana- BHORE District- Gopalganj

Vishal Rai, S/O Gandhi Ray, R/O Village - Rampur Kala, Ward No. 1, Belahi
Khash, P.S. - Kateya, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Rai, Advocate

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 23-02-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Bhorey
P.S. Case No.214 of 2020 for the offence punishable under
Sections 399, 402 of the Indian Penal Code and Sections 25(1-
b)a, 26/35 of the Arms Act.

On the alleged recovery of a country-made pistol and
live cartridges, the petitioner is in custody since 02.08.2020.

It is submitted by the counsel for the petitioner that
the petitioner has no criminal antecedents and the motorcycle,
which has been recovered from his possession, has bonafidely
been purchased by him.

Learned APP for the State has opposed the prayer for
bail.



Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gopalganj, in connection with Bhorey P.S. Case No.214 of 2020, subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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