

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40182 of 2020

Arising Out of PS. Case No.-447 Year-2019 Thana- GAURICHAK District- Patna

VINA BIND@ VINA VUND@VINA PRASAD S/o Late Sukan Bind
Resident of Vill.- Bairaiganj, P.S.- Chiksaura, Distt.- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Singh, Adv.
	:	Mr. Anil Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. A.M.P. Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 15-06-2021 Heard Mr. Rajesh Kumar Singh, learned counsel

for the petitioner and Mr. A.M.P. Mehta, learned APP for the

State.

The petitioner seeks bail in anticipation of his

arrest in connection with Gaurichak P.S. Case No. 447 of

2019 instituted for the offences under Sections 25(1)(a),

26/35 of the Indian Penal Code.

It appears from the F.I.R. that on secret

information that arms being manufactured by Arun Kumar

Singh and the petitioner, a raid was conducted at the place

from where unfinished arms and ammunition were

recovered.



Learned counsel for the petitioner has submitted that he was not arrested on the spot nor is any way associated with the recovery. His name has transpired only in the statement of the spy of the police that he is a mechanic who assists the main wrongdoers in assembling the fire arms. Though the petitioner was earlier made accused in a case vide Hilsa (Karai Parsurai O.P.) P.S. Case No. 468 of 2007 but in the aforesaid case, he has been acquitted. There is no other material except the information of the spy to connect the petitioner with the offence.

Considering the aforesaid facts, the petitioner, above named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna City, Patna, in connection with Gaurichak P.S. Case No. 447 of 2019, subject to the condition laid down under Section 438 (2) of the Code of



Criminal Procedure.

However, it is cautioned that the petitioner shall participate in the investigation if the same is still continuing and his failure to do so would render his bail liable to be cancelled. In case the chargesheet has been submitted and the case has gone to trial, the petitioner shall participate in the trial without fail.

(Ashutosh Kumar, J)

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