

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56446 of 2021

Arising Out of PS. Case No.-157 Year-2020 Thana- FATUA District- Patna

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VISHAL KUMAR, Son of Sri Ramesh Paswan, Resident of Village -
Kalyanpur, P.S.- Fatuha, District – Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-10-2021 Heard Mr. Arvind Kumar Singh, learned counsel for

the petitioner and Mr. A. K. Pandit, learned Additional Public

Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with

Fatuha P.S. Case No.157 of 2020, registered for the offences

punishable under Section 25(1-b)a, 26 and 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

10.03.2021 passed in Cr. Misc. No.1646 of 2021, with liberty to

renew his prayer for grant of regular bail after three months.

The allegation against the petitioner is that 41.625

litres of wine along with a country-made pistol was recovered

from the possession of the petitioner.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and has falsely been implicated in this case. Learned counsel further submits that nothing has been recovered from the conscious possession of the petitioner and he is in custody since 29.02.2020 and while rejecting the earlier bail application of the petitioner, this Court had given liberty to renew the prayer for regular bail after three months. Learned counsel next submits that due to Covid-19 pandemic, trial is not likely to be concluded in the near future.

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 29.02.2020 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 and the petitioner has got no criminal antecedent, 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 Special Judge, Excise Act, Patna, in
connection with Fatuha P.S. Case No.157 of 2020.

(Anil Kumar Sinha, J)

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