

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56346 of 2021

Arising Out of PS. Case No.-201 Year-2020 Thana- CHAUTHAM District- Khagaria

BITTU KUMAR Son of Agnilal Yadav @ Bauku Yadav Resident of Village-
Nandlali, P.S.- Bihar, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 27-10-2021 Heard Mr. Pramod Mishra, learned counsel for the

petitioner and Mr. Sanjay Kumar Tiwary, learned Additional

Public Prosecutor for the State.

Petitioner renews his prayer for bail in connection
with Chautham PS Case No. 201/2020 registered for the offence
punishable under Sections 25(1-b)a, 26/35 of the Arms Act
inasmuch as earlier bail application of the petitioner was
rejected *vide* order dated 08.03.2021 passed in Cr. Misc No.
40414/2020 (Annexure-1) with liberty to renew his prayer for
bail after six months, if the trial does not show any progress.

The allegation, as per the First Information Report is
that a secret information was received from STF, Patna that
illegal weapons were being carried by a vehicle, intercepted the
vehicle and upon search, *desi Katta* of 7.62 mm with five live



cartridges and extra cartridge were recovered from the driving seat in a white box and full iron *desi katta* 7.62 mm with five live cartridges were recovered from the waist of the petitioner and also an extra magazine with five live cartridges were also recovered from the jeans of the petitioner along with one mobile phone and another arms were recovered from possession of the co-accused persons, who were travelling in the said vehicle owned by the petitioner.

Learned counsel for the petitioner submits that petitioner is in custody since 23.07.2020 and the trial is not likely to be concluded in near future due to pandemic of COVID-19 and further this is the second attempt for bail on behalf of the petitioner as per observation of this Court *vide* order dated 08.03.2021.

Regard being had to the submissions made by the parties and taking into consideration the material on record and the fact that the petitioner is in custody since 23.07.2020 and the trial is not likely to be concluded in near future due to pandemic of COVID-19 and this is the second attempt for bail on behalf of petitioner, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, BITTU KUMAR be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty



Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Khagaria in connection with Chautham PS Case No. 201/2020 (G.R. No.2164 of 2020).

(Anil Kumar Sinha, J)

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