

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 5158 of 2021

Arising Out of PS Case No.-173 Year-2020 Thana- DIGHA District- Patna

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Ganesh Kumar, aged about 25 years, (Male), Son of Ravindra Rai, Resident of Mohalla- Ramjeechak, PS- Digha, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Singh, Advocate
For the State : Ms. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 03-02-2021

The matter has been heard *via* video conferencing.

2. Heard Mr. Sanjay Singh, learned counsel for the petitioner and Ms. Renu Kumari, learned Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State.

3. The petitioner is in custody in connection with Digha PS Case No. 173 of 2020 dated 14.03.2020, instituted under Sections 25(1-B)(a) and 26 of the Arms Act, 1959.

4. This is the second attempt for bail by the petitioner as earlier such prayer was rejected by order dated 03.07.2020 in Cr. Misc. No. 20896 of 2020.

5. Learned counsel for the petitioner submitted that there is one other case under the Arms Act but that is because of



some dispute with the neighbour where he has been falsely implicated and in the present case also, there is recovery of one countrymade pistol. Learned counsel submitted that the petitioner is in custody since 15.03.2020.

6. Learned APP submitted that a foreign pistol was recovered from the petitioner.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patan in Digba PS Case No. 173 of 2020 subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any illegal/criminal activity, act in violation of any law/statutory provisions, tamper with the evidence or influence the witnesses. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or



being absent on two consecutive dates, without sufficient cause,
shall also lead to cancellation of his bail bonds.

8. The application stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar

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