

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6664 of 2021

Arising Out of PS. Case No.-271 Year-2018 Thana- GOPALGANJ TOWN District-
Gopalganj

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PINTU @ PURUSHOTTAM @ PAHALWAN SON OF RABINDRA SINGH
Resident of Village - Sona Gopalopur, P.s.- Gopalpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rudra Deo

For the Opposite Party/s : Mr.A.L. Pandit

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 17-03-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Gopalganj Town Police Station Case No. 271 of 2018,
registered for the offences punishable under Sections 395/397 of
the Indian Penal Code.

This is the second attempt on behalf of the petitioner
for grant of regular bail. Earlier, the prayer for regular bail of the
petitioner was rejected by this Court, vide order, dated
20.03.2020, passed in Criminal Misc. No. 3018 of 2020, giving
liberty to the petitioner to renew his prayer for bail after six
months from the date of the order, if there is no substantial
progress in the trial.



The allegation, as per the First Information Report, is that seven unknown accused persons had entered into the house of the informant and committed dacoity and looted away cash, household articles etc. and from possession of the petitioner, one loaded revolver was recovered.

Learned Counsel for the petitioner submits that the petitioner has renewed his prayer for bail after six months, as observed by this Court in the order dated 20.03.2020. He further submits that no seizure list was prepared at the time of the alleged recovery of revolver of the informant from the possession of the petitioner and the petitioner has not been put on Test Identification Parade. He further submits that the petitioner is in custody since 29.09.2019.

This Court, vide order, dated 03.02.2021, had called for a report from the learned Court below regarding the stage of the case and in pursuance of the said order, a report has been submitted by learned Judicial Magistrate, 1st Class, Gopalganj and from perusal of the same, it would be evident that the case is pending at the stage of appearance of the accused persons and charge has not yet been framed in this case.

After having heard learned Counsel for the parties and taking into consideration the fact that the petitioner is in custody



since 29.09.2019, I am inclined to grant regular bail to the petitioner, **after framing of charge**.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, **after framing of charge**, upon furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, in connection with Gopalganj Town Police Station Case No. 271 of 2018.

This is subject to the condition that the petitioner shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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