

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10122 of 2021**

Arising Out of PS. Case No.-354 Year-2019 Thana- TEGHRHA District- Begusarai

Santosh Kumar @ Chattan Singh, Son of Shyam Kumar, Resident of Village-
Pithauli, P.S-Teghra, District-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 07-04-2021 As prayed for, let the learned counsel appearing for
the petitioner remove the defect(s), as pointed out by the office,
within four weeks of starting of the Court proceeding in
physical mode in normal course.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with Teghra
P.S. Case No. 354 of 2019, registered under Sections 307, 353,
323 and 341/34 of the Indian Penal Code, Sections 25(1-
b)a/26/35 of the Arms Act and Section 37(c) of the Bihar Excise
Act, 2016.

The acquisition is that on receiving secret
information about creating nuisance by Santosh Kuamr



(petitioner) and his brother Vipin Kumar in drunken state at Teenmuhani, situated in village Bisaua, the informant along with other police personnel proceeded for there, while another police team had earlier reached there. When the informant along with other police personnel reached at Teenmuhani, situated in village Bisaua, then saw that police team, reached earlier, was trying to caught hold two persons, who were causing assault to the police personnel. Thereafter, the informant along with other police personnel caught hold the aforesaid two persons. At that time, ASI Suchit Kumar, ASI Snajeet Kumar Paswan and Chowkidar Manoj Kumar Mahto of another team sustained injury. The caught hold persons disclosed their names as Santosh Kuamr @ Chhatan Singh (petitioner) and Vipul Kuamr @ Vipn Kumar @ Lola. On search, the petitioner was found in possession of one loaded country made pistol, while Vipul Kumar @ Vipin Kumar @ Lola was found in possession of one live cartridge and a piece of bamboo. At that time, the smell of consuming liquor was coming out from the mouths of the aforesaid two caught hold persons.

Learned counsel for the petitioner submits that the prayer for bail of the petitioner was earlier rejected on merit vide order dated 09.06.2020 passed in Cr. Misc. No. 18683 of



2020 by this Court with observation that if the trial of the petitioner is not concluded within the stipulated period of six months, the petitioner would be at liberty to renew his prayer for bail and now more than six months has been elapsed but the trial of the petitioner has not been concluded as yet and there is no likelihood of concluding of the trial in near future due to pandemic of Covid-19. Further submission is that petitioner is in custody since 10.10.2019.

In view of the order dated 09.06.2020 passed in Criminal Misc. No. 18683 of 2020, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge Excise Act, Begusarai, in connection with Teghra P.S. Case No. 354 of 2019. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

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