

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41389 of 2021**

Arising Out of PS. Case No.-56 Year-2021 Thana- PUSA District- Samastipur

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BIPIN KUMAR @ VEEPEEN KUMAR S/O BIJENDRA RAY @
VIJENDRA RAY RESIDENT OF VILLAGE-HARPUR PUSA, WARD NO.
9, P.S-PUSA, DISTRICT-SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh, Advocate.

For the Opposite Party/s : Mr.Zainul Abedin, APP.

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

2 21-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner, who is in custody since 23.05.2021,
seeks regular bail in connection with Pusa P.S. Case No. 56 of
2021 for the offence punishable under Sections 25(1-b)a, 26 and
35 of the Arms Act.

The prosecution case, in brief, is that on secret
information during patrolling when the police party proceeded
towards Rear Front, Pusa, on seeing them, the accused persons
tried to flee away, but they were apprehended by the police and



on search, one pistol with empty magazine was recovered from the waist of the petitioner Bipin Kumar. Accordingly, seizure-list was prepared.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is Block Fishery Extension Officer, Benipur, Darbhanga. He has been falsely implicated in this case by certain persons who wanted to take some undue advantage. The petitioner was apprehended while he was returning from his duty and had stopped at the restaurant of one Dipak Kumar for some refreshment. Petitioner has no criminal antecedent and he is in custody since 23.05.2021.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the aforementioned facts and circumstances of the case and the fact that the petitioner is a public servant having no criminal antecedent, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Samastipur in connection with Pusa P.S. Case No. 56 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient



immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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