

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42123 of 2021

Arising Out of PS. Case No.-61 Year-2021 Thana- MEDNI CHAUKI District- Lakhisarai

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GORELAL YADAV @ GORELAL KUMAR Son of Late Ghamandi Yadav
Resident of Village - Paharpur (Awgil Mathar), P.S.- Medni Chowki, Distt.-
Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi

For the Opposite Party/s : Mrs. Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 01-02-2022 Heard the parties through video conferencing.

Petitioner seeks regular bail in connection with
Medni Chowki P.S. Case No. 61 of 2021 registered for the
offence under Section 398 and 401 of the I.P.C. and 25 (1-b)a ,
26 and 35 of the Arms Act.

As per the First Information Report Police on the
basis of confidential information proceeded towards the place of
occurrence and upon seeing Police party four persons sitting on
a “Pulia” tried to flee away, however, two persons were
apprehended by the Police and two succeeded in fleeing away
and on search Police recovered one pistol and one cartridge
from the possession of the co-accused Amit Kumar. The
petitioner was arrested along with Amit Kumar.

Learned counsel for the petitioner submits that
petitioner has got no criminal antecedent and no fire arm has
been recovered from his possession. Recovery of fire arm is
from the possession of the other co-accused Amit Kumar. He



further submits that there is no material against the petitioner to connect him with the offence under Sections 398 / 401 of the IPC. The petitioner is in custody since 30 / 4 / 2021 , charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioner has got no criminal antecedent, he is in custody since 30 / 04 / 2021, there is no recovery of fire arm from the possession of the petitioner, charge sheet has already been submitted and trial is not likely to be concluded in near future due to Covid 19 pandemic, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Lakhisarai in connection with Medni Chowki P.S. Case No. 61 of 2021.

(Anil Kumar Sinha, J)

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