

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42762 of 2021

Arising Out of PS. Case No.-69 Year-2021 Thana- ALOULI District- Khagaria

GOVIND MUKHIYA Son of Kari Mukhiya Resident of Village - Bithan,
P.S.- Bithan, District - Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh
For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 01-02-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Alauli Police Station Case No. 69 of 2021, registered for the
offences punishable under Sections 25 (1-b)a/26/35 of the Arms
Act.

The prosecution case, as per the First Information
Report, is that one loaded country-made pistol along with one
live cartridge has been recovered from the possession of the
petitioner.

Learned Counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case and at the time of
search, the procedure prescribed under the provisions of the



Code of Criminal Procedure has not been followed. He further submits that the petitioner has no criminal antecedent prior to the institution of the present case and after registration of the present case, he has been made accused in Alauli Police Station Case No. 46 of 2021, registered for the offences punishable under Section 392 of the Indian Penal Code. He further submits that the petitioner is in custody since 23.02.2021 and charge sheet has been submitted against him and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that charge sheet has already been submitted, the petitioner is in custody since 23.02.2021 and there is no likelihood of the trial being concluded in near future due to pandemic, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria, in connection with



Alauli Police Station Case No. 69 of 2021.

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 bonds shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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