

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52871 of 2021

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

AMIT KUMAR SON OF DEVENDRA YADAV R/O VILLAGE-
PAHARPUR, P.S.- MEDANICHAUKI, DISTRICT- LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-02-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Medinichowki Police Station Case No. 61 of 2021, registered
for the offences punishable under Sections 398/401 of the Indian
Penal Code and 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 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 is in custody since 30.04.2021 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 one loaded country-made pistol has been recovered from the possession of the petitioner, charge sheet has already been submitted, he is in custody since 30.04.2021 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, **after completing one year in custody.**

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, **after completing one year in custody**, on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, Lakhisarai, in connection with Medinichowki Police Station Case No. 61 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---



