

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32440 of 2017

Arising Out of PS.Case No. -51 Year- 2017 Thana -DANAPUR District- PATNA

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Biru Kumar @ Veeru Kumar S/o Late Premdhar Rai R/o Raibagh, P.S.
Didarganj, Distt. Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Nityanand Kumar, Advocate

For the Opposite Party : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-07-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner is seeking regular bail in connection with
Danapur P.S. Case No. 51 of 2017, registered for the offence
alleged under Sections 399, 402 and 414 of the Indian Penal Code
and Section 25 (1-b)a, 26/35 of Arms Act.

Learned counsel for the petitioner submits that the
allegation against the petitioner is that he was found in possession
of a country made pistol with .315 live cartridge and a mobile.
Learned counsel further submits that the petitioner is in custody
since 29.01.2017. He further submits that although there are three
more cases against the petitioner but out of three cases, one case
has been registered under the provisions of NDPS Act from the



same prosecution for which the present case has been registered. The other two cases are of the year 2011 and the year 2015 in which the petitioner is on bail. Learned counsel further submits that the petitioner may be granted the privilege of regular bail subject to such terms and conditions which may be imposed by this Court.

Learned APP opposed the prayer for bail and submitted that there is a recovery from possession of this petitioner and hence, the petitioner does not deserve bail.

Considering the facts that the petitioner is in custody for about six months and in other cases, he has already been granted regular bail, let the petitioner, namely, Biru Kumar @ Veeru Kumar be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Danapur, Patna, in connection with Danapur P.S. Case No. 51 of 2017, subject to the conditions U/s 437(3) Cr.P.C. that one of the bailors should be a family member of the petitioner, the petitioner shall after his release be not prima-facie involved in similar kind of offence and shall not either tamper with the evidence or be involved in threatening of the witness. The petitioner shall co-operate in course of trial by putting his



appearance in the trial court regularly, two regular defaults in appearance shall lead to cancellation of bail.

(Rajeev Ranjan Prasad, J.)

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