

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.30473 of 2020**

Arising Out of PS. Case No.-64 Year-2020 Thana- BAKHTIYARPUR District- Patna

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RANDHIR KUMAR S/o Nageshwar Nishad @ Nago Nishad R/o Vill.-
Malhipur, Bind Toli, P.S.-Chakia, Distt.-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr.Ganesh Pd. Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 23-11-2020 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

Petitioner in the present case is seeking regular bail in

connection with Bakhtiyarpur P.S. Case No. 64/2020 registered

for the offences punishable under Section 399, 402 of the Indian

Penal Code and 25 (1-b)a, 26, 35 of the Arms Act.

Learned counsel for the petitioner has submitted from

the First Information Report that the informant on secret

information that some criminals in white Scorpio are planning

to commit dacoity near Vishnu Hotel situated at four lane,



Champapur. Thereafter the informant proceeded near the hotel then the driver of the vehicle tried to flee away but he was apprehended along with this petitioner. On search one loaded country made pistol and 315 bore live cartridge and mobile was seized from the possession of Akash Kumar and mobile was seized from the possession of Santosh Rai and one country made pistol and mobile was seized from the possession of Randhir Kumar (Petitioner), the vehicle was also seized.

Learned counsel for the petitioner submits that one country made pistol and a mobile phone was seized from the possession of the petitioner but he is in custody since 25.02.2020 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is alleged that one country made pistol and a mobile phone was seized from the possession of the petitioner but he has remained in custody since 25.02.2020 as otherwise petitioner has got no criminal antecedent as stated in paragraph '3' of the application and at this stage there is no submission on behalf of the State that his release is likely to result in tampering with the evidence or interfering with the course of trial, let the



petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - I, Barh in connection with Bakhiyarpur P.S. Case No. 64/2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner.

And further condition that he will abide by and



observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

