

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.12878 of 2021**

Arising Out of PS. Case No.-557 Year-2020 Thana- BIHARSHARIF District- Nalanda

KARU @ RAVI SHANKAR @ RAVI SHANKAR KUMAR S/o Arjun
Chaudhary R/o Mohalla- Katra Par, Devi Sthan, P.S.- Bihar, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shyamal Prakash, Adv.

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

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

2 15-06-2021 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 Bihar P.S. Case No. 557 of 2020 registered for the offences punishable under Sections 147, 148, 149, 307 and 353 of the Indian Penal Code and Sections 25(1-b), 26, 27 and 35 of the Arms Act.

As per the prosecution story the informant who is officer in charge of Bihar police station received a secret information that in Mohall Katahi some persons were indulged



in firing. It is further alleged that on receiving such information when the informant reached at the given place he saw that some persons were indulged in firing and on seeing the police party they tried to flee away, but on chase they were apprehended including this petitioner. On search, a country made pistol with one live cartridge was recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel submits that there is no recovery from the conscious possession of the petitioner. It is submitted that the petitioner has remained in jail in connection with this case since 30.08.2020 and prior to the present case he had no criminal antecedent.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that as per the prosecution story one loaded country made pistol with one live cartridge has been recovered from the possession of the petitioner, however, the petitioner has remained in jail in connection with this case since 30.08.2020



and prior to the present case he had no criminal antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Bihar P.S. Case No.557 of 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. However, the acceptance of bail



bonds in terms of the above-mentioned order shall not be
delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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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'.

