

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.12829 of 2021**

Arising Out of PS. Case No.-181 Year-2020 Thana- CHAKIA District- East Champaran

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MANI KUMAR @ MANI SINGH Son of Rambabu Singh R/o Village-
Anjanakot and P.S.- Motipur, District- Muzaffarpur. Petitioner
Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh,Advocate

For the Opposite Party/s : Ms.Asha Devi,APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 24-08-2021 Heard learned counsel for the petitioner and Ms. Asha

Devi, learned APP for the State.

The petitioner in the present case is seeking regular
bail in connection with Chakia P.S. Case No. 181 of 2020
registered for the offences punishable under Section 414 of the
Indian Penal Code and Sections 25(1-b)a, 26 of the Arms Act.

Learned counsel for the petitioner submits that as per
the prosecution story the informant got information that in the
house of Rajeshwar Prasad some miscreants are residing on
rent. On this information, the informant along with other police
personnel reached at the house of said Rajeshwar Prasad and on
seeing the police party three accused persons tried to escape but
were apprehended. It is alleged that on search of this petitioner a
loaded country-made pistol with six live cartridges along with
one mobile were found.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that similarly situated co-accused has already been granted bail by a learned Co-ordinate Bench of this Court in Cri. Misc. No. 9999 of 2021. The petitioner is in custody since 22.05.2020.

Learned APP 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 the submission of learned counsel for the petitioner that one pistol with six live cartridges have been allegedly recovered from the possession of the petitioner but he has remained in jail in connection with this case since 22.05.2020, co-accused Chandan Chaudhary had similar allegations and has been granted bail by learned Co-ordinate Bench of this Court in Cri. Misc. No. 9999 of 2021, this Court directs release of the petitioner above named on bail on furnishing of bail bonds 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, East Champaran, Motihari in connection with Chakia P.S. Case No. 181 of 2020.

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.

The application stands allowed.

(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'.