

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.13507 of 2021**

Arising Out of PS. Case No.-361 Year-2020 Thana- BIDUPUR District- Vaishali

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RAGHUBIR RAM @ RAGHIHIR KUMAR RAM S/o Late Jagdish Ram R/o
village- Ajampur, P.S.- Desari (Chandpura O.P.), District- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Yugal Kishore, Adv.

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

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

4 15-09-2021 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 Bidupur P.S. Case No.361/2020 registered for

the offences punishable under Sections 399, 402 and 120B of

the Indian Penal Code and Sections 25(1-B)a/26/35 of the Arms

Act.

As per the prosecution story, the informant got secret

information that in banana orchard near Central school 10-12

miscreants were planning for doing crime. It is alleged that on

receiving this information when the informant reached at the given place on seeing the police party all the accused persons started fleeing away and out of them five persons were apprehended. On search from their possession arms and ammunition were recovered. It is further alleged that one co-accused had disclosed the name of petitioner as a person who fled away from the place of occurrence.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that the name of the petitioner has transpired in the confessional statement of the co-accused who was apprehended on the spot. It is submitted that there is no recovery from the possession of the petitioner and he is in judicial custody in connection with this case since 21.09.2020.

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 submitted that the name of the petitioner has transpired in the confessional statement of the co-accused who was apprehended on the spot, there is no recovery from the possession of the petitioner and the petitioner has not been identified as also that the petitioner is in jail for almost one year,

in the two cases stated in paragraph '3' he is said to be on bail, this Court directs that 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 C.J.M., Vaishali at Hajipur in connection with Bidupur P.S. Case No.361/2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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'.