

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.14629 of 2021**

Arising Out of PS. Case No.-320 Year-2020 Thana- HARNAUT District- Nalanda

CHUNCHUN KUMAR @ MUNCHUN KUMAR Son of Rajkumar Yadav
Resident of Village- shahbajpur, P.S.- Wena, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Premchandra Yadav, Adv.

For the Opposite Party/s : Mr.Ram Sevak Chaudhary, APP

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

3 09-09-2021 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 Harnaut P.S. Case No.320/2020 registered for the offences punishable under Sections 25(1-b)a/26 of the Arms Act. He is in custody since 06.07.2020.

Learned counsel for the petitioner submits that the petitioner was arrested by police and allegedly from his possession one country made pistol loaded with one live cartridge and one live cartridge, one mobile and one Apache motorcycle was recovered. Learned counsel submits that the motorcycle belongs to the father of the petitioner.

As regards the criminal antecedents of nine cases, learned counsel for the petitioner submits that the petitioner is on bail in all the cases.

Mr. Ram Sevak Chaudhary, learned APP for the State has opposed the prayer for regular bail of the petitioner on the ground that the petitioner has got criminal antecedents as disclosed in the FIR itself and he was absconding in at least two cases mentioned at serial no.8 and 9 of the list.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the petitioner is on bail in all the cases stated in paragraph '3' and that he has remained in custody for over one year in connection with the present case and investigation against him is complete but the trial is not likely to take place in near future, 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 Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Harnaut P.S. Case No.320/2020, 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.

And further condition that henceforth once in every two months the petitioner shall mark his attendance before the S.H.O. of Wena police station in the District of Nalanda and shall keep on furnishing his complete whereabouts and mobile number to the S.H.O. If he is required to go outside the jurisdiction of the police station in connection with any employment etc. then also he will furnish his address and other information to the S.H.O. Non-compliance with this condition shall be reported by the S.H.O. of Wena police station to the learned court below and steps shall be taken for cancellation of the bail of the petitioner.

Let a copy of this order be sent to the Superintendent of Police, Nalanda for onwards instruction.

This application stands disposed of.

(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'.