

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.16182 of 2021**

Arising Out of PS. Case No.-138 Year-2020 Thana- ITARHI District- Buxar

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Jhabbu Singh @ Jhabbulal Singh, S/O Late Ram Nagina Singh, Resident of
Village-Barhana, P.S.-ITARHI, District-Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Navin Kumar Jha, Advocate

For the Opposite Party/s : Mr. Murli Dhar, A.P.P.

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

3 22-09-2021 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 Mr.

Murli Dhar, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in

connection with Itarhi P.S. Case No. 138 of 2020 registered for

the offence punishable under Section 25(1-B)a/26/35 of the

Arms Act.

As per the prosecution story, on 02.07.2020 at about

1.20 P.M. the informant was while on patrolling duty in

connection with investigation of Itarhi P.S. Case No. 137 of

2020 got secret information that the F.I.R. named accused

persons have kept arms and ammunitions in their house. The informant reached at the given place and recovered six live cartridges. The accused persons found absent from the house.

Learned counsel for the petitioner submits that the petitioner is quite innocent and has been falsely implicated in this case. Learned counsel submits that the petitioner is in jail since 16.10.2020 and nothing has been recovered from his conscious possession. It is submitted that in Itarhi P.S. Case No. 137 of 2020 the petitioner has been granted bail.

Mr. Murli Dhar, 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 allegedly six live cartridges were recovered from the house of the petitioner when the Police had gone to arrest him in connection with Itarhi P.S. Case No. 137 of 2020, in the said case the petitioner has already been granted bail as stated by learned counsel for the petitioner, in connection with the present case he has remained in jail since 16.10.2020, this Court directs release of the petitioner above named 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, Buxar in

connection with Itarhi P.S. Case No. 138 of 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)

vats/-

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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'.