

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.18604 of 2021**

Arising Out of PS. Case No.-657 Year-2020 Thana- MUFFASIL District- West Champaran

RAJA BABU KUMAR S/o Dinesh Sah Resident of Village- Chuhari Bazar,
P.S.- Chanpatiya, District- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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

2 30-07-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Md. Fahimuddin, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Bettiah Muffasil P.S. Case No. 657 of 2020 for the offences registered under Section 399, 402 of the Indian Penal Code and 25 (1-b) a, 26, 35 of Arms Act.

Learned counsel for the petitioner submits that as per the prosecution story, one live cartridge and one stolen motorcycle have been recovered from the possession of this petitioner.

Learned counsel for the petitioner submits that one live cartridge and one stolen motorcycle have been recovered from the

possession of this petitioner and the petitioner has remained in jail in connection with the present case since 10.10.2020 and co-accused similarly situated one Ajay Shukla from whose possession one country-made pistol and one live cartridge has been recovered has been granted bail in Cr. Misc No. 11032 of 2021.

Learned APP for State has though opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, the period of custody of the petitioner and that the co-accused has been granted bail by learned coordinate Bench of this Court, the petitioner has otherwise no criminal antecedent, investigation against him is complete, this Court directs release of the petitioner on bail above-named 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, Bettiah, West Champaran in connection with Bettiah Muffasil P.S. Case No. 657 of 2020, subject to the conditions 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 is suspected, and

(c) that such persons shall not directly or indirectly make

and 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.

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'.