

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.18534 of 2021**

Arising Out of PS. Case No.-213 Year-2020 Thana- BHAGWANPUR District- Begusarai

Golu Kumar @ Gollu Kumar S/O Late Tuntun Singh @ Tuntun Singh R/O
Village Hasanpur, Ward Number 01, Police Station Teghra, District Begusarai
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam,Advocate
For the Opposite Party/s : Mr.Nirmal Kumar Sinha,APP

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

2 29-07-2021 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. Nirmal Kumar Sinha, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Bhagwanpur P.S. Case No. 213 of 2020 registered for the offences punishable under Sections 25(1-b)a, 26, 35 of the Arms Act.

Learned counsel for the petitioner submits that the allegation against the petitioner is that from his possession two live cartridges were recovered.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is in custody since 19.09.2020.

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 as per allegations two live cartridges were allegedly recovered from the possession of this petitioner, he has remained in custody in this case since 19.09.2020, investigation against him is complete, it is the submission of the petitioner that after his arrest in the present case only he has been remanded in one case as stated in paragraph '3', 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 Judicial Magistrate, 1st Class, Begusarai in connection with Bhagwanpur P.S. Case No. 213 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'.