

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19516 of 2021**

Arising Out of PS. Case No.-233 Year-2020 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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Mantu Kumar, S/O Nandu Ram, R/O Village Bhagwanpur, P.S-Bhagwanpur,
District-Kaimur At Bhabua.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey, Advocate

For the Opposite Party/s : Mr.Anuj Kumar Srivastava, APP

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

4 28-10-2021 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 Bhagwanpur P.S. Case No. 233 of 2020 registered for the offences punishable under Section 393 of the Indian Penal Code and Section 25(1-b)a/26/35 of the Arms Act. He is in custody since 05.12.2020 having no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant has alleged that on secret information that some armed criminals are trying to loot the tractor battery, on this information he proceeded with other police officials and reached near bridge of Bhagwanpur Jaitpur and found that three persons are trying to loot the battery from the tractor. The informant further alleged



that when the accused persons saw the police they were tried to flee away after leaving the battery of tractor but police apprehended the petitioner along with the accused persons.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, nothing incriminating has been recovered from the conscious possession of the petitioner and he has remained in custody since 05.12.2020.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that no weapon or ammunition has been recovered from possession of the petitioner, he has remained in custody in connection with this case since 05.12.2020 and he has otherwise no criminal antecedent, this court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-V, Kaimur at Bhabua in connection with Bhagwanpur P.S. Case No. 233 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)

Rajeev/-

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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'.

