

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.22667 of 2021**

Arising Out of PS. Case No.-511 Year-2020 Thana- GORaul District- Vaishali

MD. ASIF, Son of Md. Anwar, Resident of Village - Harsher, P.S.- Goraul,
District – Vaishali Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Rina Sinha, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, A.P.P.

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

2 19-08-2021 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. Ram Priya Sharan Singh, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Goraul P.S. Case No. 511 of 2020 registered for the offence punishable under Section 414/34 of the Indian Penal Code and Section 25(1-b)a/26/35 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is alleged to have been handed over to the Police by the villagers and on search one mobile and a Hero Honda motorcycle have been shown to be recovered from his possession. It is alleged that from the co-accused a Sixer has been recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. There is no recovery of arms from the possession of the petitioner. He is in custody since 15.12.2020 having no criminal antecedent.

Mr. Ram Priya Sharan Singh, 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 it is submitted that only a mobile has been recovered from possession of the petitioner, though it is stated to be stolen one, considering the period of custody of the petitioner in connection with this case for about eight months and he has otherwise no criminal antecedent, 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 A.C.J.M.-I, Vaishali at Hajipur in connection with Goraul P.S. Case No. 511 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'.