

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.23588 of 2021**

Arising Out of PS. Case No.-337 Year-2020 Thana- JAGDISHPUR District- Bhojpur

SONU KUMAR @ SONU SINGH Son of Kamlesh Singh Resident of Village
- Andheri, P.s.- Tiyar, Dist.- Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms. Malti Kumari, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chourasiya, APP

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

2 13-09-2021 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.
Pawan Kumar Chourasiya, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Jagdishpur P.S. Case No. 337 of 2020
registered for the offences punishable under Sections 414 of the
Indian Penal Code, Sections 25(1-b) a/26/25 of the Arms Act
and Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

As per the prosecution story, the informant while on
patrolling duty got secret information that few miscreants have
assembled at Jagdishpur Bihiya Road and are planning to

commit some crime. The informant along with other police personnel reached at the said place. On seeing police, the miscreants tried to flee away but three persons (including this petitioner) on Apache Motorcycle were apprehended. When the petitioner was searched, five live cartridges and two mobiles were recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case on mere suspicion. It is further submitted that there is no recovery of illicit liquor from the conscious possession of the petitioner. Learned counsel submits that petitioner has got no criminal antecedent and he is in custody since 27.12.2020.

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 the submission of learned counsel for the petitioner and not controverted by the learned A.P.P. for the State that there is no recovery of illicit liquor from the conscious possession of the petitioner, the allegation is that of recovery of five live cartridges and two mobiles from the possession of the petitioner, the petitioner has got no criminal antecedent and in connection with this case, he has remained in jail since

27.12.2020, 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 Additional Sessions Judge-IV-cum-Special Judge, Excise Act, Bhojpur, Ara in connection with Jagdishpur P.S. Case No. 337 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.

This application stands disposed of accordingly.

(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'.