

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.23726 of 2021**

Arising Out of PS. Case No.-230 Year-2020 Thana- RAMGARHWA District- East
Champan

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JITENDRA MAHTO, Son of Prabhu Mahto, R/o Siswaniya, P.S.- Ramgadwa,
District - East Champan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Ms. Perna Rishi, Advocate

Mr. Patanjali Rishi, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary No. 1, A.P.P.

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

2 10-09-2021 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.
Sanjay Kumar Tiwary No. 1, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in

connection with Ramgadwa P.S. Case No. 230 of 2020

registered for the offence punishable under Sections 399, 402,

413 and 414 of the Indian Penal Code, Sections 25(1b) (a), 26

and 35 of the Arms Act and Sections 8, 20(b) (ii) (B) of the

Narcotic Drugs and Psychotropic Substances Act. He is in

custody since 22.08.2020.

As per the prosecution story, Police got a secret information that some miscreants are planning to commit dacoity. While the miscreants started fleeing away five of them were arrested, this petitioner is one of them and allegedly from his possession two live cartridges have been recovered. No narcotic drugs or substance has been recovered from his possession.

Learned counsel for the petitioner submits that the petitioner is in custody in connection with this case for over one year. He has otherwise no criminal antecedent.

Mr. Sanjay Kumar Tiwary No. 1, learned A.P.P. for the State has though opposed the prayer for regular bail of the petitioner but considering the facts and circumstances of the case as stated hereinabove and that the petitioner has remained in custody for over one year, investigation against him is complete but the trial is not likely to take place in near future, 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 Chief Judicial Magistrate, Raxaul, East Champaran in connection with Ramgadwa P.S. Case No. 230 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'.