

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.22668 of 2021**

Arising Out of PS. Case No.-80 Year-2020 Thana- ADHAOURA District- Kaimur (Bhabua)

Rupa Urany, Son of Late Ramdhani Urawn, Resident of Village Duggha, P.S. Adhaura, District Kaimur at Bhabua Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh, 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 Adhaura P.S. Case No. 80 of 2020 registered for the offence punishable under Section 25(1-b)a/25(1-aa)/26/35 of the Arms Act.

As per the prosecution story initially the Police recovered one barrel gun from a hut and arrested two persons who disclosed the name of the petitioner. Thereafter, the Police raided the house of the petitioner and recovered one barrel gun and some iron articles.

Learned counsel for the petitioner submits that the

petitioner is innocent and has falsely been implicated in this case. No incriminating article has been recovered from the conscious possession of the petitioner. It is further submitted that the recovery of country made gun is from a joint family house. The petitioner is in custody since 07.12.2020 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 the submission of petitioner that nothing has been recovered from his conscious possession, he is in custody since 07.12.2020 and has otherwise no criminal antecedent, 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 Smt. Amrita Singh, learned Judicial Magistrate First Class, Kaimur at Bhabua in connection with Adhaura P.S. Case No. 80 of 2020, subject to the condition 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 he is suspected, and

(c) that such person shall not directly or indirectly make any 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.

(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'.