

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.23232 of 2021**

Arising Out of PS. Case No.-26 Year-2018 Thana- SAMHO District- Begusarai

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RANJEET SINGH @ RANJIT SINGH, Son of Yogendra Singh, Resident of
Village - Bijulia, P.S.- Samho @ Shamo, Distt.- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh, Advocate

For the Opposite Party/s : Ms. Sahin Begum, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-07-2021 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 Ms.

Sahin Begum, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in

connection with Samho P.S. Case No. 26 of 2018 registered for

the offence punishable under Sections 447, 385, 387/34 of the

Indian Penal Code and Section 27 of the Arms Act.

In fact, the petitioner had moved this Court seeking

regular bail in this case in Cr. Misc. No. 26243 of 2020 vide its

order dated 13.10.2020 granted bail to the petitioner subject to

certain conditions and one of those conditions 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 steps for cancellation of bail bond of the petitioner.

Because of the aforesaid condition, at the time of submission of the bail bond it was found that the petitioner had two criminal antecedent but he had not stated about those in paragraph '3' of the said application as a result thereof the petitioner was not released. Thereafter, the petitioner filed a modification application in Cr. Misc. No. 4769 of 2021. This Court took a view that the petitioner was looking to modify his main petition in which the prayer for bail was allowed and the same cannot be permitted in the modification application, this Court vide its order dated 03.02.2021 dismissed Cr. Misc. No. 4769 of 2021 but with liberty to the petitioner to file a fresh application, if so advised. In the aforesaid background the present application has been filed.

Learned counsel for the petitioner submits that the petitioner has got two criminal antecedent which are stated in paragraph '3' of the petition, however, in both the cases he is on bail.

Considering the facts and circumstances of the case

and that the petitioner was earlier allowed the privilege of bail by this Court, but because of his own fault he has already suffered further incarceration for more than nine months, at this stage, 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. IV, Begusarai in connection with Samho P.S. Case No. 26 of 2018, 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.

The 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’.