

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM CHAMBERS VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.25437 of 2021**

Arising Out of PS. Case No.-105 Year-2020 Thana- LALGANJ District- Vaishali

AMAN KUMAR S/o Shri Ramnath Ray R/o village- Sarariya, P.S.- Lalganj,
District- Vaishali

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Arun Kumar, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

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

2 23-09-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Akhileshwar Dayal, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Lalganj P.S. Case No. 105 of 2020 registered for the offences punishable under Section 25 (1-B), a/26/35 of Arms Act. The petitioner is in custody since 14.12.2020. The petitioner has one criminal antecedent.

Learned counsel for the petitioner submits that as per the prosecution story, the informant along with other police officials had gone for raid in connection with Lalganj P.S. Case

No. 103 of 2020 then he saw that 10-15 persons are there with arms and after seeing the police party they fled away. It is further alleged that from the house of Ramnath Rai two semi produced rifle were recovered.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the co-accused Ramnath Rai who is the father of this petitioner has been granted bail by a learned coordinate Bench of this Court in Cr. Misc No. 24796 of 2021.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the alleged recovery has been shown from the house of Ramnath Rai, the said Ramnath Rai has already been granted bail by a learned coordinate Bench of this Court in Cr. Misc. No. 24796 of 2021, the submission being that petitioner is the son of said Ramnath Rai and only for that reason he has been made accused in the present case and in the only case against the petitioner as stated in Paragraph-3, his prayer for bail is pending before this Court, in the present case he is in custody since 14.12.2020, considering all these aspects this Court directs release of the petitioner above named on bail on

furnishing of bail bonds 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., XIV, Hajipur, Vaishali in connection with Lalganj P.S. Case No. 105 of 2020, subject to the conditions 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.

The application stands allowed.

(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'.