

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29149 of 2020**

Arising Out of PS. Case No.-612 Year-2019 Thana- HAJIPUR District- Vaishali

AMARJEET @ KAJU @ AMARJEET KUMAR @ AMARJEET SINGH S/o  
Paramahansh Kumar Singh @ Paramahansh Singh Resident of Village-  
Chamanhara Yaya Tola, P.S.- Mahnar, District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Niranjan Parihar, Advocate

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

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

4      12-01-2021                      Heard learned counsel for the petitioner and Mr. Md.  
Aslam Ansari, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Hajipur Sadar P.S. Case No. 612 of 2019 registered for the offences punishable under Sections 25(1-b)A, 26/35 of the Arms Act and Sections 8/20 (B) (ii) (B) of Narcotic Drugs & Psychotropic Substances Act.

Learned counsel for the petitioner submits that the Police apprehended two persons including the petitioner and recovered 18 Kg Ganja and from possession of the petitioner one loaded country made pistol has been recovered.

Learned counsel submits that the petitioner has no criminal antecedent and no incriminating article has been recovered from his conscious possession. It is submitted that the alleged seized ganja was recovered from an abandoned place which is less than the



commercial quantity. The petitioner is in custody since 07.07.2019.

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 petitioner is said to have been apprehended with a country made loaded pistol and 18 Kilogram of ganja which is less than the commercial quantity but has remained in custody for one and half years by now having no criminal antecedent and the trial is not likely to be concluded in near future and there is no submission on behalf of the State that his release at this stage is otherwise likely to result in tampering with evidence or interfering with the course of trial, let the petitioner above named be released 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 A.D.J. Ist cum-Spl. Judge, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 612 of 2019, 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.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic.

**(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'.

