

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)  
CRIMINAL MISCELLANEOUS No.13563 of 2021**

Arising Out of PS. Case No.-89 Year-2020 Thana- DAUDPUR District- Saran

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HARENDRA RAM @ BHUAR S/o Gandhi Ram R/o Village- Barwa, P.S.-  
Daudpur, District- Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr.Dhananjay Mishra,Advocate

For the Opposite Party/s : Ms.Rina Sinha,APP

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

2      27-07-2021              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 Ms. Rina  
Sinha, learned APP for the State.

The petitioner in the present case is seeking regular  
  
bail in connection with Daudpur P.S. Case No. 89 of 2020  
  
registered for the offences punishable under Sections 290, 279,  
  
34 of the Indian Penal Code and Section 25(1-b)/a/26/35 of  
  
Arms Act and Section 37(b)(c) of Bihar Prohibition and Excise  
  
Act.

Learned counsel for the petitioner submits that the  
  
allegation against the petitioner is that he was arrested in  
  
drunken condition and on search from his possession one

country-made pistol and two live cartridges were recovered.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is in custody since 09.05.2020.

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 this petitioner has been allegedly caught by police on chase and from his possession country-made pistol with two live cartridges were recovered, the petitioner has been found in drunken condition, the submission being that the petitioner has remained in custody for over one year in connection with this case and prior to the present case he had got one criminal antecedent in which he is on bail, 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 Additional Sessions Judge 2<sup>nd</sup> cum Special Judge, Excise Saran at Chapra in connection with Daudpur P.S. Case No. 89 of 2020, subject to the conditions 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 is suspected, and

(c) that such persons shall not directly or indirectly make and 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 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'.