

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)  
CRIMINAL MISCELLANEOUS No.6319 of 2021**

Arising Out of PS. Case No.-146 Year-2020 Thana- DINARA District- Rohtas

SADDAM HUSSAIN @ KALU ANSARI Son of Pir Mohammad Ansari  
Resident of Village- Dinara, P.S- Dinara, District- Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Saroj Kumar Sharma, Advocate

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

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

3      30-07-2021                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail  
in connection with Dinara P.S. Case No. 146 of 2020 registered  
for the offences punishable under Section 25(1-b)a/26 of the  
Arms Act.

As per the prosecution story, while the informant got  
secret information that one person is moving with a country  
made pistol, he reach at N.H.30 near Canal Bridge and on  
seeing the police party the accused person tried to flee away but  
with the help of police he was apprehended and disclosed his  
name as Saddam Hussain (petitioner) and from his possession  
one country made pistol with one live cartridge were recovered.

Learned counsel for the petitioner submits that

petitioner has been falsely implicated in this case and he is in custody since 08.06.2020.

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 as per the prosecution story a country made pistol with one live cartridge were recovered from the petitioner, petitioner has remained in jail in connection with this case for over one year and in the one case against him as stated in paragraph '3' of the application he is said to be on bail, this Court directs release of the petitioner above-named 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.C.J.M. - III, Bikramganj (Rohtas) in connection with Dinara P.S. Case No. 146 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)**

Rajeev/-

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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'.