

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.298 of 2021

Arising Out of PS. Case No.-115 Year-2020 Thana- BEGUSARAI TOWN District- Begusarai

GOLU KUMAR S/o Late Pramod Singh Resident of Pokharia, P.S.- Nagar,
District- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vinod Gautam,Advocate

For the Opposite Party/s : Ms.Madhuri Lata,APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 08-03-2021 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. Madhuri Lata, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Begusarai Nagar P.S. Case No. 115 of 2020 registered for the offences punishable under Sections 25(1-b)a/26 of the Arms Act.

Learned counsel for the petitioner submits that as per the prosecution story, on secret information the informant reached at the given place with police force and found one person escaping on seeing the police force who was caught on chase. It is alleged that during search one country-made pistol and three live cartridges have been recovered from his



possession.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner is in custody since 13.02.2020. Investigation against him is complete and he is on bail in one case in which he is accused from before.

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 it is the submission of learned counsel for the petitioner that from the possession of the petitioner one country-made pistol and three live cartridges were recovered, the petitioner has, however, remained in jail in connection with the present case for more than one year and at this stage there is no chance of conclusion of trial, he has one criminal antecedent in which he is on bail, let the petitioner above named be released 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 Chief Judicial Magistrate, Begusarai in connection with Begusarai Nagar P.S. Case No. 115 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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

U		T	
---	--	---	--

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'.

