

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.210 of 2021

Arising Out of PS. Case No.-76 Year-2020 Thana- KURTHA District- Jehanabad

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Pritam Kumar @ Laden, Son of late Ramanuj Singh @ Mahargu Singh,
Resident of Village - Nadaura, P.S.- Kurtha, Distt.- Arwal

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Minakshi Kumari, Adv.

Mr. Manish Kumar, Adv.

For the Opposite Party/s : Mr.Binod Kumar No.-3, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-02-2021 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 learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Kurtha P.S. Case No.76 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 the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that nothing incriminating has been recovered from the possession of the petitioner. It is submitted that the petitioner is in custody since 26.04.2020.

Learned APP for the State is present and has opposed the



prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the present case in which it is alleged that from the possession of petitioner one loaded country made pistol and three live cartridges have been recovered which the petitioner could not explain satisfactorily, the submission being that the petitioner has been falsely implicated in the present case and is languishing in jail since 26.04.2020, investigation against him is complete and so far as the criminal antecedent is concerned, has been brought in the two cases by way of remand after his arrest in the present case and in one of them 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 Sri Ashish Kumar Agnihotri, learned Judicial Magistrate-1st Class at Arwal in connection with Kurtha P.S. Case No.76 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 petitioner shall cooperate in course of trial and two consecutive defaults in putting appearance before the learned court below shall invite cancellation of his bail bond.

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)

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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'.

