

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.271 of 2021**

Arising Out of PS. Case No.-129 Year-2020 Thana- PANDAUL District- Madhubani

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ALOK MISHRA Son of Keshav Mishra Resident of Village - Bishnupur, P.S.-
Saktpur, Dist.- Darbhanga.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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

2 05-03-2021 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 learned
A.P.P. for the State.

The petitioner in the present case is seeking regular
bail in connection with Pandaul P.S. Case No. 129 of 2020
registered for the offences punishable under Sections 25(1-
b)a/26/35 of the Arms Act.

Learned counsel for the petitioner submits that as per
the prosecution story the informant who is S.H.O. of Pandaul
got secret information about some suspicious persons near
Baidyaji Tola. The informant along with the police party
reached there and on seeing the police party those persons tried



to flee away but were apprehended by the police. Upon search one live cartridge of 7.65 mm and one mobile of Vivo company have been recovered from the possession of this petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that the petitioner is a student and he is preparing for the competitive examination. Learned counsel submits that prior to this case, the petitioner has got no criminal antecedent and he is in custody since 10.06.2020.

Learned A.P.P. 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 case, wherein as per the allegations one live cartridge was recovered from the possession of the petitioner, he has remained in jail since 10.06.2020 and prior to the present case he has no criminal antecedent, 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 CJM/trial court, Madhubani in connection with Pandaul P.S. Case No. 129 of 2020, G.R. No. 1038 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)

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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'.

