

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.943 of 2021

Arising Out of PS. Case No.-4 Year-2020 Thana- HATHIDAH District- Patna

RAM NIVAS KUMAR @ NIVAS Son of Jhapo Saw Resident of Ramnager,
P.S.- Ghoshwari, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-03-2021 Learned counsel for the petitioner is permitted to make necessary correction in para-10 of this application in course of the day.

Heard learned counsel for the petitioner and learned APP for the State.

Learned counsel for the petitioner undertakes to remove the defects within three weeks of normal functioning of the court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 25(1-b)a/26/35 of the Arms Act.

Prosecution case as lodged by the police personnel alleging therein that Ghoshwari P.S. Case No. 05 of 2020 was



registered for kidnapping of a boy and Rs. 10 lakh ransom was demanded to free the boy. A raid was conducted by the informant and he reached near Hathidah Station where one person has found walking in doubtful condition thereafter, he informed to Hathidah and Ghoswari P.S. and police officials of both the P.S. have arrived there. In the meantime, the said person has tried to flee away after seeing the police but he was apprehended. He told his name Ram Niwas Kumar @ Nivash Kumar. On search, one loaded country made pistol has been recovered from his waist and two mobiles have also recovered thereafter, the said kidnapped boy recovered on the instigation of this petitioner.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that one country made loaded Katta has been recovered from the possession of the petitioner is completely false. He submits that there is no compliance of Section 100 and 101 of the Cr.P.C. He further submits that petitioner bears no criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 16.01.2020.

In the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail



bond of Rs.20,000/- (rupees twenty thousand) with two sureties
of the like amount each to the satisfaction of the learned
A.C.J.M.-IV, Barh, District-Patna in connection with Ghoshwari
P.S. Case No. 04 of 2020.

(Anjani Kumar Sharan, J)

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