

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.3137 of 2021**

Arising Out of PS. Case No.-169 Year-2020 Thana- MANJHAGARH District- Gopalganj

RAJU SAH S/o Bikau Sah R/o village- Dewapur Shekhpudil Tola, P.S.-
Manjhagarh, District- Gopalganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Harendra Prasad, Advocate

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

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

3 11-08-2021 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 Manjhagarh P.S. Case No. 169 of 2020 (Trial No. 13/2020) registered for the offence under Section 25(1-b)a/26/35 of the Arms Act, 8(c) and Section 21(a) of the N.D.P.S. Act.

Learned counsel for the petitioner submits that from the possession of the petitioner one loaded country made pistol and two live cartridges were recovered, however no narcotic drugs of contraband article has been recovered from the possession of the petitioner. Such recoveries of contraband articles have been specifically attributed to the other two co-accused only. The petitioner is in custody since 20.07.2020, he

has got one criminal antecedent but in the said case he is on bail.

Learned A.P.P. for the State has though opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case wherein the petitioner has remained in custody for over one year and investigation against him is complete, 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 Additional District and Sessions Judge – I – cum – Special Judge, Gopalganj in connection with Manjhagarh P.S. Case No. 169 of 2020 (Trial No. 13/2020), 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'.