

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.14694 of 2021**

Arising Out of PS. Case No.-340 Year-2020 Thana- KHAIRA District- Jamui

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PAPPU KUMAR GOPE @ PRASHANT KUMAR GOPE, Son of Late
Brahmdeo Gope, Resident of village - Kurwatanr, P.S.- Khaira, Distt.- Jamui.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Prakash Mahto, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, A.P.P.

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

3 10-09-2021 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 Mr.
Brajendra Nath Pandey, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in

connection with Khaira P.S. Case No. 340 of 2020 registered for

the offence punishable under Sections 399, 402, 414 of the

Indian Penal Code and Section 25 (1-b)A/26/35 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 and on seeing the Police, criminals

tried to fled away but on chase four miscreants were apprehended and four managed to escape from there on motorcycle. It is alleged that from possession of the petitioner one country made six round pistol has been recovered and from others recovery has also been made for which seizure lists were prepared.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that for recovery of one six round pistol the petitioner is in custody since 31.07.2020. It is further submitted that he is accused in one case in which his prayer for bail is pending for consideration.

Mr. Brajendra Nath Pandey, learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein as per allegation one revolver has been recovered from possession of the petitioner, however, the petitioner has remained in custody since 31.07.2020 and in one case against him his prayer for bail is pending, this Court directs release of the petitioner above named 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, Jamui in connection with Khaira P.S.
Case No. 340 of 2020, subject to the condition as laid down
under Section 437 (3) Cr.P.C.

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)

vats/-

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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'.