

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.8835 of 2021**

Arising Out of PS. Case No.-460 Year-2020 Thana- AHIYAPUR District- Muzaffarpur

PANKAJ KUMAR SON OF RAMISHWAR SINGH R/O VILLAGE
PATIYASA CHAKKI, PS- AHIYAPUR DISTT.- MUZAFFARPUR

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr.Bharat Lal, APP

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

2 03-05-2021 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 Ahiyapur P.S. Case No. 460 of 2020 registered for the offences punishable under Section 414 of the Indian Penal Code and Section 25(1-b)a/26 of the Arms Act.

As per prosecution story, while the informant was on patrolling duty, he saw a motorcycle coming from Darbhanga side at Bakhri More, he tried to stop the motorcycle but the motorcyclist tried to escape but on chase he was apprehended and from his possession one country made loaded pistol and one



live cartridge were recovered.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case and petitioner is in custody since 27.05.2020 having no criminal antecedent.

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

Having regard to the facts and circumstances of the case wherein it is alleged that from possession of the petitioner one loaded country made with one live cartridge has been recovered with a motorcycle and he is in jail in connection with the present case since 27.05.2020, prior to the present case he had no criminal antecedent, investigation against him is complete and his further incarceration in jail is not likely to come in aid of the investigation or prosecution, 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 C.J.M., Muzaffarpur in connection with Ahiyapur P.S. Case No. 460 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)

Rajeev/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'.

