

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.16295 of 2021**

Arising Out of PS. Case No.-237 Year-2020 Thana- GARKHA District- Saran

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RANJIT KUMAR YADAV Son of Dhurandhar Rai Resident of Village -
Gadhiya Chitrauli, P.S. - Khaira, District - Saran at Chapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Krishna Kumar Yadav,Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal,APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 29-06-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking regular bail
in connection with Garakha P.S. Case No. 237 of 2020 registered
for the offences punishable under Sections 399, 402, 413, 414,
420, 468/34 of the Indian Penal Code and 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 along with other police
personnel on secret information that some miscreants are involved
in plundering of motorcycles reached at Bhainsmara Canal. After
seeing the police party some persons tried to flee away but 11
persons were apprehended with 8 motorcycles. On search one
loaded country-made pistol with one live cartridge were recovered
from the possession of this petitioner.



Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that all the co-accused similarly situated have already been granted bail. The petitioner is in custody since 05.06.2020.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that altogether 11 persons were searched by the police party, from possession of the petitioner one loaded country-made pistol and one live cartridge is said to have been recovered, he has, however, remained in custody for over six months in connection with the present case and the co-accused similarly situated have already been granted bail, considering these aspects of the matter, this Court directs release of the petitioner on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of Shri Chandra Bose Kumar Singh, learned Judicial Magistrate-1st Class, Chapra at Chapra in connection with Garakha P.S. Case No. 237 of 2020, subject to the conditions 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 is suspected, and

(c) that such persons shall not directly or indirectly make and 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.

The application stands allowed.

(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'.

