

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.12918 of 2021**

Arising Out of PS. Case No.-6 Year-2020 Thana- DHAKA District- East Champaran

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AJEET ANAND @ BITTU KUMAR Son of Srisadan @ Shivsadan Sah @
Shri Sadan Sah RESIDENT OF VILLAGE - BAIRIYA, P.S. - KUNDWA
CHAINPUR, DISTRICT - EAST CHAMPARAN

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 22-06-2021 Learned counsel for the petitioner undertakes to

remove all the defects pointed out by the Stamp Reporter within

four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Gauri
Shankar Gupta, learned APP for the State.

The petitioner in the present case is seeking regular

bail in connection with Dhaka P.S. Case No. 06 of 2020

registered for the offences punishable under 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 along

with police party were checking vehicles, in the meantime three

persons were seen coming on bike and after seeing the police



party, they tried to flee away. The police chased them and succeeded to apprehend one person who disclosed his name as Satyam Chaudhary @ Serjan and also disclosed the name of other accused persons including this petitioner who fled away. One loaded country made pistol and a live cartridge has recovered from the pocket of the Satyam Kumar @ Satyam Chaudhary @ Serjan.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner is in custody since 28.08.2020.

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 on behalf of the petitioner that no incriminating article has been recovered from his possession and the co-accused namely Satyam Kumar @ Satyam Chaudhary @ Serjan from whom one country made loaded pistol has been recovered has been granted bail by the learned coordinate Bench of this Court in Cr. Misc No. 27084 of 2020, the petitioner is in custody in connection with this case since



28.8.2020 and out of three cases against the petitioner, it is submitted that in one case he is on bail and prayer for bail in other two cases are pending consideration, this Court directs release of the petitioner above named 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 learned S.D.J.M Sikrahana at Dhaka in connection with Dhaka P.S. Case No. 06 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 her 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 her



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'.

