

IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.8723 of 2021

Arising Out of PS. Case No.-465 Year-2020 Thana- LAKHISARAI District- Lakhisarai

DABLOO KUMAR SON OF SRI KANT SINGH R/O - LAL DIYARA, P.S.-
PIPARIYA, DISTRICT- LAKHISARAI.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

with

CRIMINAL MISCELLANEOUS No. 10695 of 2021

Arising Out of PS. Case No.-465 Year-2020 Thana- LAKHISARAI District- Lakhisarai

SONU KUMAR S/O PANKAJ SINGH Resident Of Village - La Diya, P. S. -
Pipariya, District - Lakhisarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

(In CRIMINAL MISCELLANEOUS No. 8723 of 2021)

For the Petitioner/s : Mr.Amresh Kumar Sinha

For the Opposite Party/s : Mr.Anant Kumar 1, APP

(In CRIMINAL MISCELLANEOUS No. 10695 of 2021)

For the Petitioner/s : Mr.Amresh Kumar Sinha

For the Opposite Party/s : Mr. Umeshanand Pandit. APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 05-08-2021 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. Anant Kumar 1, learned APP for the State.

The petitioner in the present case is seeking regular bail in

connection with Lakhisarai P.S. Case No. 465 of 2020 for the offences registered under Section 25(1-b), 26(2), 35 of the Arms Act of the Indian Penal Code.

Learned counsel for the petitioner submits that as per the prosecution story, on a secret information informant along with police officials proceeded to Damodar More on Bypass and they started checking the vehicles. They saw one scorpio was coming and when the said vehicle was stopped the accused persons tried to flee away but all were apprehended. On search one pistol with nine cartridges loaded in two magazines were recovered from the possession of the co-accused Suman Ranjan.

Learned counsel for the petitioner submits that from the First Information Report and the seizure list it would appear that a pistol and nine live cartridges loaded in two magazines have been recovered from the possession of co-accused Suman Ranjan @ Bauva. There is no recovery from the possession of the petitioner and the petitioner has got no criminal antecedent.

It is further submitted that the petitioner has remained in jail in connection with the present case since 12.9.2020, investigation against him is complete but the trial is not likely to take place in near future, in the circumstances this Court directs release of the petitioner on bail on furnishing bail bonds 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., Lakhisarai in connection with

Lakhisarai P.S. Case No. 465 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'.