

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19721 of 2021**

Arising Out of PS. Case No.-237 Year-2020 Thana- RANIYATALAB District- Patna

NIRANJAY KUMAR SON OF SRI CHANDRADEO SHARMA @
CHANDRADEO SINGH @ CHANDRADEV SINGH RESIDENT OF
VILLAGE- BARDA, P.S-RANI TALAB, DISTRICT-PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaishnavi Singh, Adv.

For the Opposite Party/s : Mr. A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 24-01-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

A supplementary affidavit, carrying out necessary
correction in the main application, has been filed on behalf of the
petitioner, which forms part of this application.

The petitioner seeks bail in connection with Rani Talab
P.S. Case No. 237 of 2020 registered for the offence under
Sections 25(1-b)a, 26 and 35 of the Arms Act.

The case relates to recovery of illegal firearms and live
cartridges.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. In fact, nothing incriminating has been recovered from
the conscious possession of the petitioner. As a matter of fact,



before lodging the present case an F.I.R. being Rani Talab PS. Case No. 236 of 2020 has been registered in which the petitioner has been taken into custody and subsequently on the same day, another F.I.R. being Rani Talab PS. Case No. 237 of 2020 has been registered in which the petitioner has been shown to be arrested from his house and the alleged recovery has also been shown from his house. The manner of registration of F.I.R. itself falsify the prosecution version in view of the fact that if the petitioner has already been arrested in another case then as to how again this petitioner has been shown to be arrested from his house with the alleged recovery. The case is nothing but out and out a case of false implication in the garb of political rivalry. The petitioner is rotting in judicial custody since 12.10.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

Considering the facts and circumstances of the case and the period of custody, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Danapur, Patna in connection with Rani Talab P.S. Case No. 237 of 2020 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

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.

(Rajesh Kumar Verma, J)

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