

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40660 of 2021

Arising Out of PS. Case No.-137 Year-2021 Thana- CHHATAUNI District- East Champaran

Manish Kumar Yadav, S/o Umakant Yadav, Mohalla - Gali No. 3, Bangali Colony, P.S.- Chhatauri, District - East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ansul, Adv.

For the Opposite Party/s : Ms.Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 23-03-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Ms. Anita Kumari Singh, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Chhatauni P.S. Case No.137 of 2021 (GR Case No.2051 of 2021) registered for the offences punishable under Sections 399 and 402 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act. He is in custody since 04.04.2021. The petitioner has got no criminal antecedent.

Learned counsel for the petitioner submits that, as per the prosecution story, five live cartridges have been recovered from the possession of the petitioner.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that the petitioner has no criminal antecedent and he is in custody in connection with this case since 04.04.2021.

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

Having regard to the submissions that the allegation against the petitioner is that of recovery of five live cartridges but the petitioner has no criminal antecedent, the petitioner has been falsely implicated in this case and he is in custody since 04.04.2021 and investigation against him is complete, this Court directs that the petitioner above named be released on bail on furnishing 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., East Champaran at Motihari in connection with Chhatauni P.S. Case No.137 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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)

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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'.

