

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56018 of 2021

Arising Out of PS. Case No.-481 Year-2021 Thana- BIHTA District- Patna

=====

DHARMENDRA SINGH Son of Late Awadh Bihari Singh Resident of
Village- Jamunipur, P.S.- Bihta, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Paras Nath

For the Opposite Party/s : Mr.Amitesh Kumar

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-01-2022 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State in virtual court
proceeding.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Bihta (Neura
O.P.) P.S. Case No. 481 of 2021 registered for the offences
punishable under Sections 25(1-B)a, 26, 35 of the Arms Act.

As per prosecution case, one country made loaded
pistol and two live cartridges have been recovered from
possession of the petitioner.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and has committed no offence



and he has falsely been implicated in the present case. It is further submitted that no incriminating article has been recovered from conscious possession of the petitioner rather the police has planted the firearms so in the seizure list recovery of one loaded country made pistol and two live cartridges have been shown from possession of the petitioner. Petitioner is in custody since 14.07.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioner, above named, 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 the learned Additional Chief Judicial Magistrate-1, Danapur, Patna in connection with Bihta (Neura O.P.) P.S. Case No. 481 of 2021, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

3. 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)

shahzad/-

U		T	
---	--	---	--

