

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(BEFORE RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.56897 of 2021**

Arising Out of PS. Case No.-202 Year-2021 Thana- UCHKAGAON District- Gopalganj

RAJA KUMAR, Son of Chaneshwar Ram, Resident of Village- Penula Khas,
P.S.- Uchakagaon, District- Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Javed Aslam, Advocate
For the Opposite Party/s	:	Mr.Navin Kumar Pandey, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 15-04-2022 Learned counsel for the petitioner undertakes to remove the defects as pointed out by the Stamp Reporter within two weeks after start of normal functioning of this Court.

Heard learned counsel for the petitioner and Mr. Navin Kumar Pandey, learned APP for the State.

The petitioner in the present is seeking regular bail in connection with Uchakagaon P.S. Case No. 202 of 2021 registered for the offences punishable under Sections 25(1-b) (a), 26, 27, 35 of the Arms Act. The petitioner is in custody since 27.06.2021. He has no criminal antecedent.

Learned counsel for the petitioner submits that as per the prosecution story, one loaded country made pistol with one live cartridges and two mobile phones were 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 nothing incriminating was recovered from the possession of the petitioner and recovered mobile phones belong to the petitioner. It is submitted that the petitioner is in custody in connection with this case since 27.06.2021 having no criminal antecedent.

Mr. Navin Kumar Pandey, learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Having regard to the submission that for the alleged recovery of one country made pistol and one live cartridge the petitioner who has no criminal antecedent has remained in custody since 27.06.2021, investigation against him is complete and his presence may be secured in course of trial and the seizure list witnesses are members of the raiding team, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IX, Gopalganj in connection with Uchakagaon P.S. Case No. 202 of 2021, subject to the conditions as laid down under Section 437(3) of the 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.

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 web-site under the heading 'Judicial Orders Passed During The Pandemic Period'.

