

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55919 of 2021

Arising Out of PS. Case No.-46 Year-2021 Thana- PASRAHA District- Khagaria

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RAMESH KUMAR @ TUFANI YADAV, S/o Late Nageshwar Yadav, R/o
village- Chapar, P.S.- Gopalpur (Rangra O.P.), District- Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 31-03-2022 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 Mr. Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Pasraha P.S. Case No. 46 of 2021, G.R. No. 1019 of 2021 registered for the offences punishable under Sections 25(1-b)a/26(i) of the Arms Act. He is in custody since 26.03.2021. The petitioner has got one criminal antecedent.

As per the prosecution story, while the informant was on patrolling duty, he was directed by the S.H.O. to indulge in vehicle checking and during checking one motorcycle rider was spotted who disclosed his name as Ramesh Kumar (petitioner) and from his possession one loaded country-made katta and four live cartridges



were recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated at the hands of police. The petitioner is in custody since 26.03.2021 and investigation against him is complete.

Mr. Akhileshwar Dayal, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that the petitioner was arrested with a country made pistol and four live cartridges and has remained in custody in connection with this case for over one year, 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 Sri Deepak Kumar, learned Judicial Magistrate 1st Class, Khagaria in connection with Pasraha P.S. Case No. 46 of 2021, G.R. No. 1019 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And Further condition that if he is found involved in another case of similar nature, the S.H.O. of Pasraha Police Station in the District of Khagaria shall take appropriate steps to file an application seeking cancellation of bail of the petitioner.

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 steps 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.

Let this order be communicated to the Superintendent of Police, Khagaria for appropriate instruction.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

vats/-

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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'.

