

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.47461 of 2022**

Arising Out of PS. Case No.-309 Year-2021 Thana- RAJAPAKAR District- Vaishali

Naresh Ram S/o Late Mahendra Ram R/o village- Maheshwarpur, P.S.-
Bidupur, District- Vaishali, Bihar- 844502

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Kishore Kunal, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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

2 09-12-2022 Learned counsel for the petitioner will remove all the defects as pointed out by office within two weeks from today.

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 Rajapakar P.S. Case No. 309 of 2021 registered for the offences punishable under Sections 25(1-b)a, 26, 35 of the Arms Act. He is in custody since 06.05.2022. The petitioner has got no criminal antecedent.

Learned counsel for the petitioner submits that as per the prosecution story, on 10.11.2021 at about 2 O'clock when the informant along with other police personnel reached at Rushtampur Petrol Pump, three persons on a motorcycle came there in speed and were signaled to stop but they did not.



Thereafter on chase police nabbed one of them and on search a loaded pistol and a mobile were recovered but taking benefit of dark he somehow managed to escape and a motorcycle was also seized.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is in custody in connection with this case since 06.05.2022 having no criminal antecedent.

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 facts and circumstances of the case, considering that from the petitioner a pistol, one mobile and the motorcycle is said to have been seized, he has no criminal antecedent and in connection with this case he has remained in custody since 06.05.2022, the investigation against him is complete, hence, 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., Vaishali at Hajipur in connection with Rajapakar P.S. Case No.



309 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 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.

This application is allowed.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

vats/-

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