

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.57159 of 2021**

Arising Out of PS. Case No.-171 Year-2021 Thana- BAJPATTI District- Sitamarhi

Nitish Ray Son Of Devendra Ray Resident Of Village- Supilgadha @ Balha
Manorath, P.S- Bajpatti, Dist- Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram,. APP

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

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

Heard learned counsel for the petitioner and Mr. Bishweshwar Ram, learned APP for the State.

Petitioner in the present case is seeking regular bail in connection with Bajpatti P.S. Case No. 171 of 2021 registered for the offences punishable under Sections 399, 402 of the Indian Penal Code and Section 25(1-b)a, 26, 35 of the Arms Act. He has no criminal antecedent and is in custody since 22.06.2021.

Learned counsel for the petitioner submits that the allegation against the petitioner is that from his possession one country-made pistol and one live cartridge were recovered.



Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. It is submitted that the petitioner is in custody since 22.06.2021.

Learned counsel submits that the investigation against the petitioner is complete and his appearance during trial may be secured.

Mr. Bisheshwar Ram, learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that from the possession of the petitioner one country-made pistol and one live cartridge is said to have been recovered but the petitioner has remained in custody since 22.06.2021, investigation against him is complete, he has no criminal antecedent and his presence may be secured in course of trial, this Court directs release of the petitioner above named on bail on furnishing bail bonds of Rs.25,000/-(Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Pupri, Sitamarhi in connection with Bajpatti P.S. Case No. 171 of 2021, subject to the conditions 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.

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 website under the heading 'Judicial Orders Passed During The Pandemic Period'.

