

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 57316 of 2021

Arising Out of PS. Case No.-369 Year-2021 Thana- MANER District- Patna

Upendra Singh, Male, aged about 50 years, Son of Late Jawala Prasad,
Resident of Village- Daulatpur Simri, P.S.- Bihta, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate
For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-01-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State through video
conferencing.

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 Maner P.S.
Case No. 369 of 2021 registered for the offences punishable
under Sections 25 (1-B) (a), 26 and 35 of the Arms Act.

According to the prosecution case, one country made
loaded Katta with 0.315 bore cartridge has been recovered from
the conscious possession of the petitioner.

Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case. He



further submits that nothing has been recovered from the conscious possession of the petitioner rather the police has planted the same and shown the recovery of one country made pistol and one live cartridge from the possession of the petitioner. Petitioner is in custody since 05.06.2021.

Learned Additional Public Prosecutor opposed the prayer for bail and submitted that the petitioner carries one more case other than the present one.

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 Judicial Magistrate, 1st Class, Danapur in connection with Maner P.S. Case No. 369 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)

Anand Kr.

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

