

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.50277 of 2022**

Arising Out of PS. Case No.-370 Year-2022 Thana- BARH District- Patna

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OM PANDEY Son of Santosh Pandey @ Santosh Kumar Pandey @ Pandey
R/V- Shivpur Varanasi, P.S- Shivpur, Dist- Varanasi (U.P)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Parmanand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-12-2022 Learned counsel for the petitioner undertakes to remove
the SR defects by 16th January, 2023.

Heard learned counsel for the petitioner and learned A.P.P.
for the State.

Petitioner, in the present case, is seeking regular bail in
connection with Barh P.S. Case No. 370 of 2022 registered for the
offences punishable under Section 379/411 of the Indian Penal Code
and section 25(1-b)a 26/35 of the Arms Act. He is in custody since
14.06.2022 having no criminal antecedent as stated in paragraph ‘3’
of the application.

As per the prosecution story, the informant has alleged
that two persons had came at his medical shop and stolen his mobile
but they caught and from their possession his mobile and some
duplicate key, one Luna vehicle and two live cartridges have been
recovered.



Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. However he is in custody since 14.06.2022.

Having regard to the facts and circumstances of the case wherein this petitioner has remained in custody since 14.06.2022, investigation against him is complete and he has no criminal antecedent, therefore, this court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - 1st, Barh, District – Patna in connection with Barh P.S. Case No. 370/2022, 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 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.

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

(Rajeev Ranjan Prasad, J)

Rajeev/-

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