

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60982 of 2021

Arising Out of PS. Case No.-96 Year-2021 Thana- BELDOUR District- Khagaria

PRABHAKAR THAKUR Son of Naresh Thakur Resident of Village-
Sahmaura, P.S.- Sonbarsa Raj, District- Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Amarnath Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 05-05-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four 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 Beldaur P.S. Case No. 96 of 2021 registered for the offences punishable under Sections 399 and 402 of the Indian Penal Code and Section 25(1-b)a/26/35 of the Arms Act. He is in custody since 16.05.2021 having no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, while the informant was on patrolling duty on 14.05.2021 along with other police party, he received information that 5-6 persons on a Bolero vehicle are



planning to commit loot. The police party reached there, on seeing the police party accused persons were trying to flee away but all were apprehended. Thereafter on search of the accused persons pistols and cartridges were recovered and from possession of this petitioner a country made pistol along with a cartridge was recovered.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that from possession of the petitioner one Katta and one live cartridge have been recovered but in connection with this case petitioner is in custody since 16.05.2021.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that from possession of the petitioner one Katta and one live cartridge have been recovered but in connection with this case petitioner is in custody since 16.05.2021 and prior to the present case he had no criminal antecedent and that the trial in this case is not likely to be concluded in near future, 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 Ms. Pallavi Anand,



learned Judicial Magistrate, Khagaria in connection with
Beldaur P.S. Case No. 96 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 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.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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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'.

