

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)  
CRIMINAL MISCELLANEOUS No.50516 of 2022**

Arising Out of PS. Case No.-78 Year-2021 Thana- BHADAUR District- Patna

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VIKRAM KUMAR S/O NIGAM RAM Resident of village- Chaksamiya,  
P.S.- Samyagarh, O.P.- Ghoswari, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

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

For the Opposite Party/s : Mr.Ajit 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 16<sup>th</sup> 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 Bhadaur P.S. Case No. 78 of 2021 registered  
for the offences punishable under Section 25(1-b)a, 35 of the  
Arms Act. He is in custody since 26.10.2021 having one  
criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant has  
alleged that he along with other police party proceeded for  
making investigation in Bhadaur P.S. Case no. 76/21, in course  
of investigation, Manish Kumar and Bittu Kumar were arrested



by the police, petitioner was also arrested along with others. The informant further alleged that on the instance of Vikram Kumar and Sumit Kumar, besides the road, one katta was also recovered from the leaf of palm tree.

Learned counsel for the petitioner submits that nothing has been recovered from the conscious possession of the petitioner, petitioner has been falsely implicated in this case, however he is in custody since 26.10.2021.

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

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that nothing has been recovered from the conscious possession of the petitioner and petitioner has been falsely implicated in this case taking the police personnel as witnesses to the seizure list, a charge-sheet has also been filed against the petitioner, the petitioner is in custody in connection with this case since 26.10.2021 and in the only case against him as stated in paragraph '3', learned counsel for the petitioner submits that now the petitioner has been granted bail, there being no submission that the release of the petitioner at this stage is likely to result in tampering with the evidence or interfering with the



court of trial, 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 Judicial Magistrate - 1<sup>st</sup> Class, Barh in connection with Bhadaur P.S. Case No. 78 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.

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

**(Rajeev Ranjan Prasad, J)**

Rajeev/-

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