

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64035 of 2021**

Arising Out of PS. Case No.-204 Year-2021 Thana- TEGHRHA District- Begusarai

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DHIRAJ KUMAR @ DHEERAJ KUMAR Son of Bhikhari Mahto Resident
of Village- Hasanpur, P.S.- Teghra, District- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, A.P.P.

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**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. Uma
Shankar Prasad Singh, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Teghra P.S. Case No. 204 of 2021 registered
for the offences punishable under Section 25(1-b)a, 26, 35 of the
Arms Act. He is in custody since 26.06.2021 having no criminal
antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant has
alleged that on 25.06.2021 he has been informed by the S.H.O.
that two miscreants are moving near railway gumti having
illegal weapons and they may commit any crime. After getting
this information he reached at the place and saw two accused



persons were standing on road and on being seeing the police party both the accused persons were tried to escape but were apprehended and disclosed their name as Dhiraj Kumar and Shrawan Kumar Mahto. From possession of Dhiraj Kumar (the petitioner) one loaded country made pistol with one live cartridge has been recovered and from possession of Shrawan Kumar only one live cartridge has been recovered.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that from possession of this petitioner one loaded katta and one live cartridge have been recovered and in connection with this case petitioner is in custody since 26.06.2021.

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 loaded katta and one live cartridge have been recovered but in connection with this case the petitioner is in custody since 26.06.2021, he has otherwise no criminal antecedent and the trial in the present case is not likely to take place 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 learned Chief Judicial Magistrate, Begusarai in connection with Teghra P.S. Case No. 204 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'.

