

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.54693 of 2022**

Arising Out of PS. Case No.-304 Year-2022 Thana- MADHAURAH District- Saran

Lalu Nut S/o Late Dinanath Nut R/o village- Mangolapur, P.S.- Jalalpur, Dis-
trict- Saran (Chapra)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Advocate
For the Opposite Party : Mr. Md. Fahimuddin, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 16-12-2022 Heard learned counsel for the petitioner and Mr. Md.
Fahimuddin, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Marhowrah (Gaura O.P.) P.S. Case No. 304 of 2022 dated 18.04.2022 registered for the offences punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act. He is in custody since 02.06.2022. He has two criminal antecedents.

Learned counsel for the petitioner submits that as per the prosecution story, in pursuant to the confessional statement of this petitioner in Gaura O.P. (Marhowrah) P.S. Case No. 262 of 2022, one loaded country made pistol, two live cartridges and a used cartridge were seized which were kept hidden behind the bushes situated near the bed of river in village Khorampur.

Learned counsel for the petitioner submits that the pe-



petitioner is innocent and has been falsely implicated in this case.

It is submitted that the petitioner is in custody since 02.06.2022.

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

Having regard to the facts and circumstances of the case that this case has been registered on the basis of confessional statement of the petitioner and it is stated that on the basis of his statement, one country made pistol, one empty cartridge and two live cartridges were recovered from a place which is a bank of river, in connection with this case the petitioner has remained in custody since 02.06.2022, investigation against him is complete and his presence may be secured in course of trial, hence, 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, Chapra, District-Saran in connection with Marhowrah (Gaura O.P.) P.S. Case No. 304 of 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 an-



tecedent, 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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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