

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65991 of 2021

Arising Out of PS. Case No.-27 Year-2021 Thana- SAKSOHRA District- Patna

Rohit Kumar Son Of Arun Singh Resident Of Village- Andauli, P.S.-
Saksohara, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Suraj Kumar, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 12-05-2022 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by the Stamp Reporter within
two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Lalan
Kumar, learned APP for the State.

The petitioner in the present case is seeking regular bail
in connection with Sakshohara P.S. Case No. 27 of 2021 registered
for the offences punishable under Section 25(1-b)a, 26 of the Arms
Act. He is in custody since 11.06.2021. The petitioner has got no
criminal antecedent.

Learned counsel for the petitioner submits that as per
the prosecution story, the informant along with other police
officials went to village Andauli to arrest one Arun Singh. When
the police party raided the house of the said Arun Singh, a boy
tried to flee away armed with a country-made rifle and a magazine



fitted therein but got apprehended and disclosed his name as Rohit Kumar (this petitioner).

Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has remained in custody since 11.06.2021 having no criminal antecedent.

Learned counsel submits that investigation against the petitioner is complete and his presence may be secured in course of trial .

Mr. Lalan Kumar, learned APP 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 country-made rifle of single bore has been allegedly recovered with a magazine fitted therein but there is no recovery of any live cartridge as per the seizure list, the petitioner has no criminal antecedent and he has remained in custody for more than 11 months, investigation against him is complete and his presence may be secured in course of trial, this Court directs release of the petitioner above named on bail on furnishing 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, Barh, Patna in connection with Sakshohara P.S. Case No. 27 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 steps 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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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'.

