

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69641 of 2021

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

Sharwan Mahto @ Sharwan Kumar @ Sharwan Kumar Mahto, S/o Papohan Mahto @ Ramnath Mahto, R/o village- Hasanpur, Ward No. 04, P.S.- Teghra, District- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Aaruni Singh, Advocate

For the Opposite Party/s : Mr.Binod Kumar No. 3, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-05-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Binod Kumar No. 3, 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 Sections 25 (1-b),a, 26, 35 of the Arms Act. He is in custody since 26.06.2021. The petitioner has no criminal antecedent.

Learned counsel for the petitioner submits that as per the prosecution story, one live cartridge of .315 bore has been recovered from the possession of the petitioner.



Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner has no criminal antecedent and he is in custody in connection with this case since 26.06.2021.

Mr. Binod Kumar No. 3, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that for the alleged recovery of one .315 bore live cartridge from the petitioner, he has remained in custody since 26.06.2021 and in the meantime, the co-accused Dheeraj Kumar from whose possession one country made Katta and one live cartridge were recovered has been enlarged on bail by this Court in Cr. Misc. No. 64035 of 2021 and the petitioner has otherwise no criminal antecedent and his presence may also be secured in course of trial, therefore, this Court directs that the petitioner above named be released 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 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 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.

(Rajeev Ranjan Prasad, J)

vats/-

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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'.

