

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69382 of 2021

Arising Out of PS. Case No.-214 Year-2021 Thana- SHASTRINAGAR District- Patna

Monu Kumar @ Vikki, Son of Madan Mohan Rai @ Madan Mohan Singh,
Resident of Gandhi Murti, Punaichak, P.S.- Shastri Nagar, District- Patna.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Madhav Raj, Advocate
For the Opposite Party/s : Ms.Nirmala Kumari, 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
Ms.Nirmala Kumari, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Shastri Nagar P.S. Case No. 214 of 2021 registered for the offences punishable under Sections 25(1-b), 26, 35 of the Arms Act. He is in custody since 19.06.2021. The petitioner has got one criminal antecedent.

Learned counsel for the petitioner submits that as per the prosecution story, in course of raid one loaded pistol, one empty magazine and two bottles of illicit liquor have been recovered from the house of the petitioner.



Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that no incriminating article has been recovered from the possession of the petitioner and there is no independent witness to the search and seizure. It is submitted that the petitioner has no criminal antecedent and he is in custody in connection with this case since 19.06.2021.

Ms.Nirmala Kumari, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submissions that in course of raid one loaded pistol and one empty magazine with two bottles of wine were recovered from the side of the bed in the house of the petitioner and on opening of magazine three live cartridges were recovered, the petitioner has remained in custody since 19.06.2021, he had no criminal antecedent prior to the present case but for the alleged recovery of wine a separate case has been registered which is stated in paragraph '3' of the present application, investigation against the petitioner is complete and his presence may be secured in course of trial, thus, 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 A.C.J.M-IV, Patna, in connection with Shastri Nagar P.S. Case No. 214 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'.

