

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.1184 of 2022**

Arising Out of PS. Case No.-140 Year-2021 Thana- BARURAJ District- Muzaffarpur

Dharmendra Kumar, S/O Nandu Paswan, R/o village- Laxminiya, P.S.-
Baruraj, District- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Bela Singh, Adv.

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

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

2 20-05-2022 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 Mr.Md.
Mushtaque Alam, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in

connection with Baruraj P.S. Case No.140 of 2021 registered for

the offences punishable under Sections 399, 402 and 414 of the

Indian Penal Code and Sections 25(1-B)a, 26 and 35 of the

Arms Act. He is in custody since 24.07.2021. The petitioner has

got no criminal antecedent.

Learned counsel for the petitioner submits that, as per

the prosecution story, one live cartridge was allegedly recovered



from the possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that the petitioner has no concern with the alleged seized article. It is submitted that the petitioner is in custody in connection with this case since 24.07.2021 having no criminal antecedent.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that from possession of the petitioner one live cartridge has been recovered, but he is in custody since 24.07.2021, he has otherwise no criminal antecedent, investigation against him is complete and his presence may also be secured in course of trial, 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 Shri Mahendra Mishra, learned Judicial Magistrate-1st Class, Muzaffapur in connection with Baruraj P.S. Case No.140 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)

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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'.

