

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72147 of 2021

Arising Out of PS. Case No.-130 Year-2021 Thana- BANGAWON District- Saharsa

Ram Bharosh Kumar Singh @ Ram Bharos Kumar Singh @ Ram Bharos Kumar @ Ram Bharos Singh, Son of Shivdani Singh, Resident of Village - Jagriti Mansitola mansi, Police Station - Mansi, District - Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar, Advocate
For the Opposite Party/s : Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-05-2022 Heard learned counsel for the petitioner and Mr. Ajit Kumar, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Bangaon P.S. Case No. 130 of 2021 registered for the offences punishable under Section 25(1-b)a, 26 and 35 of the Arms Act. He is in custody since 06.10.2021 having two criminal antecedents as stated in paragraph '3' of the application.

As per the prosecution story, the informant has alleged that when he got information that one Prabhakar Kumar accused of Bangaon P.S. Case No. 129/2021 is going to Supaul with his associates and on that information he reached at Tinmuhani, on seeing the police party four persons tried to flee away but they were apprehended by police and disclosed their



name. The informant further alleged that one loaded country made katta from Prabhakar Kumar, one live cartridge from the pocket of Paras Kumar, two live cartridges from the pocket of Kumarjit Kumar and from the possession of this petitioner one live cartridge from his pocket were recovered.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case and he is in custody since 06.10.2021.

Learned A.P.P. 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 live cartridge is said to have been recovered but the petitioner has remained in custody since 06.10.2021, investigation against him is complete and his presence may also be secured in course of trial, therefore, 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 Additional Chief Judicial Magistrate – 1st, Khagaria in connection with Bangaon P.S. Case No. 130 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.)

Rajeev/-

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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'.

