

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.612 of 2022**

Arising Out of PS. Case No.-118 Year-2021 Thana- KUNDWACHAINPUR District- East
Champaran

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Ajay Singh @ Bagha Singh S/O Late Yogendra Singh R/O Village- Barwa,
P.S.- Kundwachainpur, District- East Champaran Petitioner
Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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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 the Stamp Reporter within two

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Uday
Chand Prasad, learned APP for the State.

The petitioner in the present case is seeking regular bail
in connection with Kundwachainpur P.S. Case No. 118 of 2021
registered for the offences punishable under Sections 25(1-b)a, 26
of the Arms Act. He is in custody since 15.07.2021. He has four
criminal antecedents.

Learned counsel for the petitioner submits that the
allegation against the petitioner is that from his house one double
barrel gun was recovered.

Learned counsel submits that the petitioner has falsely
been implicated in the present case. It is submitted that there is no



recovery from possession of the petitioner. The petitioner is in custody since 15.07.2021.

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

Having regard to the submission that in the present case, allegation against the petitioner is that from his house a double barrel gun was recovered but in connection with this case, he has remained in custody since 15.07.2021, investigation against him is complete and his presence may also 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 5th Additional Chief Judicial Magistrate, Sikrahana at Dhaka, East Champaran in connection with Kundwachainpur P.S. Case No. 118 of 2021, subject to the conditions 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.



And further condition that considering the criminal antecedents of the petitioner, this Court directs that till conclusion of trial in the present case, the petitioner shall mark his attendance at least once in every two months before the Station House Officer of Kundwachainpur Police Station in the District of East Champaran and shall keep on furnishing his complete whereabouts and mobile number to the S.H.O. If he is required to go outside the jurisdiction of the police station in connection with any employment etc. then also he will furnish his address and other information to the S.H.O. Non-compliance with this condition shall be reported by the S.H.O. of Kundwachainpur Police Station to the learned court below and steps shall be taken for cancellation of the bail of the petitioner.

Let a copy of this order be sent to the Superintendent of Police, East Champaran for appropriate instruction to the Kundwachainpur police station.

The application stands disposed of accordingly.

(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'.

