

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.623 of 2022**

Arising Out of PS. Case No.-181 Year-2020 Thana- BIDUPUR District- Vaishali

Ramesh Kumar @ Ramesh Yadav Son Of Devendra Rai Resident Of Village -
Bhairopur, P.S.- Bidupur, Distt.- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Md. Fahimuddin, 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 the Stamp Reporter
within two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Md.
Fahimuddin, learned APP for the State.

The petitioner in the present case is seeking regular
bail in connection with Bidupur P.S. Case No. 181 of 2020
registered for the offences punishable under Sections 25(1-
b)a/26/35 of the Arms Act and Sections 20, 21, 22, 23, 24, 27,
27(A), 29 of the Narcotic Drugs and psychotropic Substances
Act, 1985. He is in custody since 28.05.2020. The petitioner has
three criminal antecedents.

Learned counsel for the petitioner submits that from
perusal of the first information report itself it would appear that



no narcotic item was recovered from possession of the petitioner. The recovery is that of one pistol with a magazine containing four live cartridges. It is submitted that the petitioner has remained in custody for almost 2 years but till date, the charges have not been framed and the trial is not likely to be concluded in near future.

Learned APP for the State has opposed the prayer for bail of the petitioner. It is submitted that the petitioner has got three criminal antecedents.

Having heard learned counsel for the petitioner and learned APP for the State and upon noticing that in connection with the present case the petitioner has remained in custody for almost 2 years but till date the charges have not been framed and in the three cases stated in paragraph '3' the petitioner is said to be on bail, in the present case the 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 bail bond of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned 1st Additional District and Sessions Judge-cum-Special Judge, NDPS Act, Vaishali at Hajipur in connection with Bidupur P.S. Case No.



181 of 2020, 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 till conclusion of trial of the present case, the petitioner shall mark his attendance at least once in every two months before the Station House Officer of Bidupur Police Station in the District of Vaishali at Hajipur 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 Bidupur 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, Vaishali at Hajipur for appropriate instruction to the Bidupur 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'.

