

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1893 of 2022

Arising Out of PS. Case No.-96 Year-2021 Thana- BELDOUR District- Khagaria

Abhijit Parasar @ Abhijit Kumar @ Abhijit Kumar Parasar, Son of Ajit Kumar Singh, Resident of Village- Sahmaura, P.S.- Sonbarsa Raj, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Punita Kumari Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 13-06-2022 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four 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 Beldaur P.S. Case No.96 of 2021 registered for the offences punishable under Sections 399 and 402 of the Indian Penal Code and Sections 25(1-B)a, 26 and 35 of the Arms Act. He is in custody since 29.10.2021. The petitioner has got one criminal antecedent of a case in which the allegations are under bailable Sections.

Learned counsel for the petitioner submits that, as per



the prosecution story, one country made semi-automatic pistol and three live cartridges have been 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 co-accused Prabhakar Thakur from whom one Desi Katta with one capped gun shot was found and co-accused Anand Kumar Jha have been granted bail in Cr.Misc.No.60982 of 2021 and Cr.Misc.No.62787 of 2021 respectively. It is submitted that the petitioner is in custody in connection with this case since 29.10.2021

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

Having regard to the submission that the petitioner has remained in custody since 29.10.2021, investigation against him is complete and his presence may also be secured in course of trial as also that the co-accused Prabhakar Thakur from whom one Desi Katta with one capped gun shot was found and co-accused Anand Kumar Jha have been granted bail in Cr.Misc.No.60982 of 2021 and Cr.Misc.No.62787 of 2021 respectively, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs.25,000/-



(Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Beldaur P.S. Case No.96 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.

(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'.

