

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61894 of 2023

Arising Out of PS. Case No.-273 Year-2023 Thana- MADHEPURA District- Madhepura

Rana Kumar Son Of Ranjeet Yadav R/O Village- Thengha, Ward No. 3, Ps-
Sour Bazar, Dist- Saharsa

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-09-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 17.03.2023 in connection with Madhepura P.S. Case No. 273 of 2023, F.I.R. dated 16.03.2023 for the offences punishable under Sections 399 and 402 of the Indian Penal Code, Sections 25(1-b)a, 26 and 35 of the Arms Act, Sections 8, 20(b)(ii), (A) of NDPS Act and Section 30(a) of Bihar Prohibition and Excise Act.

3. According to prosecution case, one loaded country made pistol, one live cartridge, illicit liquor and Ganja were recovered.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the



present case. He further submits that from perusal of the F.I.R as well as seizure list it appears that petitioner was apprehended and one live cartridge has been recovered from the possession of the petitioner. He further submits that the liquor as well as contraband have been recovered from the room of the co-accused, namel, Ankus Raj. The petitioner is in custody since 17.03.2023.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries three criminal antecedents other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in all the three cases.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge V cum Special Judge Excise I, Madhepura in connection with Madhepura P.S. Case No. 273 of 2023, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court



and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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.

(Rajesh Kumar Verma, J)

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