

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.16305 of 2021**

Arising Out of PS. Case No.-85 Year-2020 Thana- RAGHOPUR District- Supaul

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RANDHIR YADAV @ RANDHIR KUMAR YADAV Son of Girdhar Yadav
Resident of Village - Parasarama, Ward No. 07, P.S.- Raghapur, District -
Supaul

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Akhouri Vipin Bihari Shrivastava, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 30-06-2021 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.
Akhileshwar Dayal, learned APP for the State.

The petitioner in the present case is seeking regular bail in
connection with Raghapur P.S. Case No. 85 of 2020 registered for
the offences punishable under Sections 25(1-b)a, 26 and 35 of the
Arms Act.

Learned counsel for the petitioner submits that as per the
prosecution story, on secret information the informant along with
other police personnel raided the alleged place then two accused
persons including this petitioner started fleeing away on seeing the
police party but were apprehended. It is further alleged that one
country-made pistol and six bullets were recovered from the place



near the toilet of Ranjit Kumar.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the co-accused has already been granted bail by a learned Co-ordinate Bench. The petitioner is in custody since 25.04.2020.

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

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the petitioner has been falsely implicated in this case, the recovery of country-made pistol and 6 bullets were from the place near the toilet of Ranjeet Kumar and the said co-accused has already been granted bail in Cri. Misc. No. 9749 of 2021, the petitioner is in custody in connection with the present case since 25.04.2020, investigation against him is complete but the trial is not likely to be concluded in near future, in the two cases stated in paragraph '3' in one of the cases he has been granted bail whereas his prayer for bail is pending in another case, 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 A.C.J.M., Birpur, District-Supaul in connection with Raghapur P.S. Case No. 85 of 2020, subject to the conditions as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the



conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which is suspected, and

(c) that such persons shall not directly or indirectly make and inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

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.

This application stands allowed.

(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'.

