

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37569 of 2018

Arising Out of P.S.Case No. -43 Year- 2018 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

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Dinesh Sah, Son of Late Ganpat Sah, Resident of Village- Babhantoli
Chaita, Police Station- Pakaridayal, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Smt. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR

ORAL ORDER

3 23-07-2018 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner is in custody in connection with Pakaridayal
P.S.Case No.43 of 2018 registered for an offence under the Arms
Act and Section 17 of the CLA Act and Section 10,11,13 of the
VAPA ACT.

The informant, who is the police officer, on secret
information conducted raid, and apprehended this petitioner and
two accused. The police party seized one country made pistol and
Naxali Parcha from the possession of the petitioner.

It has been submitted that the petitioner has falsely been
implicated merely on suspicion. Nothing has been recovered from
the possession of the petitioner. The petitioner is involved in two
more cases in which he is on bail. The petitioner is in jail custody



since 26.03.2018.

The learned APP opposed the submissions.

Considering the aforesaid facts and circumstances, prayer for bail is allowed. Let the above named petitioner 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 ACJM-5th, Motihari, East Champaran in connection with Pakaridayal P.S.Case No.43 of 2018 with following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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