

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27861 of 2020

Arising Out of PS. Case No.-334 Year-2019 Thana- DUMRA District- Sitamarhi

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DHIRAJ JAISWAL S/o Dinesh Jaiswal Resident of Village-Musachak, P.S.-
Bairgania, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mrs. Anita Kumari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-11-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Mrs. Anita Kumari Singh, the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Dumra P.S. Case No. 334 of 2019 for the offence registered under Sections 188, 379, 414/34 of the Indian Penal Code, Section 52 of the Prisoners Act and Section 59(i) (vii) of Jail Act, 1894.

The case of the prosecution in brief is that the Superintendent of Police, District Jail, Sitamarhi and other jail officials had searched the prisoners and as far as the petitioner is concerned, one mobile phone is stated to have been recovered



from his possession.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and he is languishing in custody since 14.10.2019. It is submitted that while the petitioner was in custody in connection with one other case & he has been falsely alleged to have been in possession of a mobile phone. However, it is submitted that no other incriminating article has been alleged to have been recovered from the petitioner herein.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the nature of allegation levelled against the petitioner, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to 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 learned Chief Judicial Magistrate, Sitamarhi in connection with Dumra P.S. Case No. 334 of 2019.

(Mohit Kumar Shah, J)

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