

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32150 of 2021

Arising Out of PS. Case No.-1032 Year-2020 Thana- FORBESGANJ District- Araria

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DINESH SARDAR @ DINESH KUMAR SARDAR Son of Bachcha Sardar
@ Balba Sardar Resident of Village - Charnai ward no. 13, P.S.- Chhatapur,
District – Supaul. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Adv.

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-12-2021 Heard Mr. Mukesh Kumar Rana, learned counsel for

the petitioner and Ms. Suman Kumari Singh, Additional Public

Prosecutor for the State.

Petitioner seeks regular bail in connection with

Forbesganj PS Case No. 1032/2020 registered for the offence

punishable under Sections 414 of the IPC and Section 25 (1-b)

a, 26 read with Section 35 of the Arms Act.

The allegation against the petitioner, as per First

Information Report, is that one pistol along with magazine

having four live cartridges have been recovered from his

possession.

Learned counsel for the petitioner submits that the

petitioner has falsely been implicated in this case by the police

with oblique motive and at the time of search and seizure the

procedure prescribed under Section 100 CrPC has not been

complied with. He next submits that petitioner is in custody

since 29.11.2020. It is further submitted that one Manish Kumar



from whose possession a country made pistol and one live cartridge was recovered, has been granted bail by this Court *vide* Cr. Misc. No. 31426/2021.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is in custody since 29.11.2020 and similarly situated co-accused, namely, Manish Kumar, has been granted bail by this Court, I am inclined to grant regular bail to the petitioner subject to the condition that petitioner will be well represented on each and every date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

Accordingly, let the petitioner, DINESH SARDAR @ DINESH KUMAR SARDAR be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj PS Case No. 1032/2020.

(Anil Kumar Sinha, J)

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