

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4738 of 2021

Arising Out of PS. Case No.-12 Year-2020 Thana- AMAS District- Gaya

=====

BALIRAM DUBEY Son of Late Nandjee Dubey Resident of Village -
Gothahula, P.S.- Muffasil, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Malti Kumari

For the Opposite Party/s : Mrs.Sangeeta Sharma

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-04-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the office within four
weeks of normal functioning of the court, failing which the
office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 414/34 of the Indian Penal
Code and Sections 25 (1-b)a, 26, 35 of the Arms Act.

Prosecution case as per FIR is that the police after
getting secret information, that 14 wheeler cement loaded truck
has been brought by four accused persons, proceeded to the
place of occurrence and arrested the petitioner and other accused



persons and from possession of the petitioner, one loaded pistol, a mobile, a piece of Airtel SIM including a note book have been recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the allegation against the petitioner is that there is recovery of one country made pistol alongwith one mobile set from the possession of the petitioner. There is no T.I. Parade till date and the petitioner is languishing in judicial custody since 08.01.2020. Similarly situated co-accused have been granted bail by the Co-ordinate Benches of this Court vide order dated 05.12.2020 passed in Cr. Misc. no. 23073/2020 and order dated 19.10.2020 passed Cr. Misc. No.27065/2020. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner.

Learned APP for the State opposes the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in



connection with Amas P.S. Case No. 12/2020, corresponding to
G.R. No. 28/2020 to the satisfaction of learned Court below
where the case is pending.

(Anjani Kumar Sharan, J)

amitkumar/-

U		T	
---	--	---	--

