

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 2867 of 2021**

Arising Out of PS. Case No.-324 Year-2019 Thana- BAIRIYA District- West Champaran

ASHOK SAH aged about 22 years S/o Mohan Sah Resident of Village- Balua
Rampurwa, P.S.- Bairiya, District- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sanjeev Kumar, Advocate
For the Opposite Party : Mr.A.G

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 14-06-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case
registered for the offence punishable under sections 413/414/34
of the Indian Penal Code and under the Arms Act.

As per the prosecution case, one loaded country made
Katta, live cartridge, a mobile phone, a damaged ATM
machine, cash Rs.3.49 lacs and a Hero Honda motorcycle
were recovered from the house of the petitioner. It is also
alleged that some quantity of Charas, a contraband article, was



also recovered from the house of the petitioner for which a separate case has also been registered.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on the basis of suspicion. No incriminating material has been recovered from the conscious possession of the petitioner. Petitioner is in custody since 3.10.2019.

Considering the facts and circumstances of the case and the period of the custody of the petitioner, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Bairiya Police Station Case No. 324 of 2019 from the Court of the Chief Judicial Magistrate, Bettiah, West Champaran on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Prabhat Kumar Singh, J)

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