

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11242 of 2022**

Arising Out of PS. Case No.-14 Year-2019 Thana- CHANDAN District- Banka

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DASHRATH DAS Son of Gudan Das Resident of Village- Dardmara, P.S.-
Jasidih, District- Deoghar (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Adv.

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-06-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Section 25(1-B) of the Arms Act.

The case relates to recovery of one country made
pistol along two empty shells from the dickey of the
motorcycle of the petitioner.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case merely on the basis of suspicion. He
further submits that the petitioner has not been named in
the F.I.R. but during course of investigation, it has come that
a motorcycle was stolen for which the owner of the same has



lodged a case against unknown and the police after investigation, has apprehended the petitioner and submitted charge sheet against him. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner is rotting in judicial custody since 12.12.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases other than the present one.

Considering the facts and circumstances of the case, 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 learned Court below where the case is pending in connection with Chandan P.S. Case No. 14 of 2019 with 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 canceled 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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