

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14965 of 2022

Arising Out of PS. Case No.-436 Year-2020 Thana- BETTIAH CITY District- West
Champaran

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DINESH KUMAR DAS S/O PARMESHWAR DAS R/o village- Banuchapar,
P.S.- Muffasil (Banuchhaar O.P.), District- West Champaran at Bettiah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 15-06-2022 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two

weeks of the complete start of the physical Court in normal

course.

The petitioner seeks regular bail in connection with

Bettiah Town P.S. Case No. 436 of 2020 for the offence

punishable under Section 414 of the Indian Penal Code and

Sections 25(1-b)a and 26 of the Arms Act.

As per the allegation made in the F.I.R., while the

police personnel were checking vehicles, the petitioner was

apprehended with a country made katta loaded with one

cartridge, a smart phone and a motorcycle.



Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that the alleged motorcycle which was lying near the place of occurrence was left by the actual culprit who had fled away from the place of occurrence. The actual owner of the said motorcycle has not lodged any case against the petitioner. Petitioner is in custody since 17.07.2020. As such he deserves to be released on bail.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the nature of allegation and period of custody undergone by the petitioner, without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Bettiah at West Champaran in connection with Bettiah Town P.S. Case No. 436 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically loose its force.

(Purnendu Singh, J)

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