

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15946 of 2022

Arising Out of PS. Case No.-455 Year-2021 Thana- MUFFASIL District- West Champaran

DINESH PRASAD KUSHWAHA Son of Late Prahlad Mahto Resident of
Village - Hirapakar, P.O.- Gurwaliya, P.s.- Manuapool, Ward no.08, Distt.-
West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr.Rajendra Prasad Nat

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 02-08-2022 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under Sections 25(1-B)(a),
and 26 of the Arms Act.

As per the prosecution case, on seeing the police one
miscreant tried to flee away but was apprehended by the police
who disclosed his name as Dinesh Prasad Kushwaha. On search,
a country-made pistol, two live cartridges, Redmi Mobile and
motorcycle were recovered from the possession of the



petitioner.

Learned counsel for the petitioner has submitted that the petitioner is innocent and he has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. Charge-sheet has been submitted. Learned counsel for the petitioner has further submitted that the petitioner is accused in 13 other criminal cases out of which in 6 cases the petitioner was acquitted as stated at para 3 of the bail petition. It is further submitted that the petitioner is the owner of the seized motorcycle and mobile. The petitioner is in custody since 01.08.2021

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances, the petitioner above-named, is directed to be enlarged on bail on his furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah in connection with Bettiah Mufassil, Manuapool O.P., P.S. Case No. 455 of 2021, with following conditions:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which



on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled by the concerned Court.

2. One of the bailors must be a close relative of the petitioner.

3. If the petitioner is found involved in other criminal cases, his bail bond is liable to be cancelled by the concerned Court below.

4. The petitioner is directed to mark his attendance before the Officer-In-Charge of the concerned police station at 10.00 A.M. on every Monday of the week and in the event of his failure to do so on two consecutive occasions, the present privilege of bail will stand cancelled by the concerned Court.

The bail application stands allowed.

(Chandra Prakash Singh, J)

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