

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28841 of 2022

Arising Out of PS. Case No.-90 Year-2021 Thana- CHANPATIA District- West Champaran

RAJESH RAM @ CHHOTU RAM @ RAVI RAM Son of Sri Baidyanath
Ram Resident of village - Vrindavan Ashram, P.S.- Chanpatia (Kumarbag),
District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-06-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Chanpatia (Kumarbag) Police Station Case No. 90 of 2021,
registered for the offences punishable under Sections 413/414 of
the Indian Penal Code and Sections 25 (1-B) (a)/26 of the Arms
Act.

This is the second attempt on behalf of the petitioner
for grant of regular bail. Earlier, the prayer for regular bail of the
petitioner was dismissed as withdrawn, vide order, dated
04.02.2022, passed in Criminal Misc. No. 43888 of 2021, giving
liberty to the petitioner to renew his prayer for bail after three
months from the date of the order.



The prosecution case, as per the First Information Report, is that one loaded country-made pistol, one live cartridge, one mobile phone and one motorcycle was recovered from the possession of the petitioner.

Learned Counsel for the petitioner submits that the petitioner has renewed his prayer for bail, as observed by this Court in the order dated 04.02.2022. He further submits that the mobile phone and the motorcycle belong to the petitioner. He further submits that the petitioner has falsely been implicated in this case with oblique motive by the police and at the time of search and seizure, the procedure prescribed under the provision of the Code of Criminal Procedure, 1973, has not been followed. He further submits that the petitioner is in custody since 08.02.2021 and charge sheet has already been submitted and as such there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Having regards to the submissions advanced on behalf of the parties and taking into consideration the fact that this is second attempt on behalf of the petitioner for grant of regular bail, the petitioner is in custody since 08.02.2021 and charge sheet has been submitted against him, I am inclined to grant regular bail to the petitioner.



This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran, at Bettiah, in connection with Chanpatia (Kumarbag) Police Station Case No. 90 of 2021.

This is subject to the condition that the petitioner shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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