

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41105 of 2021

Arising Out of PS. Case No.-121 Year-2020 Thana- RAGHOPUR District- Supaul

DINESH SAH S/o Ramtahal Sah Resident of Village- Malhanma, P.S.-
Triveniganj, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary, Adv.

For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-01-2022 Heard Mr. Murari Narain Chaudhary, learned
counsel for the petitioner and Ms. Rina Sinha, learned
Additional Public Prosecutor for the State through video
conferencing.

Petitioner seeks regular bail in connection with
Raghopur PS Case No. 121/2020 registered for the offence
punishable under Sections 413, 414 of the IPC and Section
25(1-b)a, 26, 35 of the Arms Act.

The police, on getting secret information, that some
miscreants were moving on motorcycle with illegal arms,
intercepted the motorcycle and recovered one loaded pistol and
a cartridge from the possession of the petitioner and the said
motorcycle being stolen one was recovered from the possession
of another co-accused, namely, Sujeet Kumar.



Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and the procedure regarding search and seizure prescribed under CrPC has not been followed at the time of seizure of alleged fire-arms. Learned counsel further submits that no stolen article has been recovered from the possession of the petitioner and with regard to antecedent of the petitioner, submission is that the petitioner is on bail in Raghapur PS Case No. 107/2020.

He next submits that petitioner is in custody since 07.06.2020, charge-sheet has already been submitted in the matter and the trial is not likely to be concluded in near future due to pandemic.

Having regards to the submissions made by the parties and taking into consideration the material on record and the fact that the petitioner is in custody since 07.06.2020, charge-sheet has already been submitted in the matter and the trial is not likely to be concluded in near future due to pandemic, I am inclined to grant regular bail to the petitioner subject to the condition that the petitioner will be well represented on each and every date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

Accordingly, let the petitioner, DINESH SAH be



released on bail on furnishing bail bond of Rs. 25,000/-
(Twenty-five Thousand) with two sureties of the like amount
each to the satisfaction of learned Additional Chief Judicial
Magistrate, Birpur/the court concerned in connection with
Raghopur PS Case No. 121/2020.

(Anil Kumar Sinha, J)

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