

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64234 of 2021

Arising Out of PS. Case No.-8 Year-2020 Thana- DESARI District- Vaishali

Dinu Rai @ Dina Rai @ Dinwa Son of Naresh Ray Resident of village -
Lakhanpur Tal, P.S.- Desari, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Prabhat, Advocate
For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 11-02-2022 Heard learned counsel for the petitioner and Mr. Md. Shakir Ahmad, learned A.P.P. for the State through virtual court proceedings.

The petitioner seeks bail in connection with Desari P.S. Case No. 8 of 2020 instituted for the offences under Sections 120(B) of the Indian Penal Code read with Sections 25(1-b)a, 26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 17.12.2020 and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that allegation is of recovery of a country-made pistol along with two live cartridges from one Rahul Kumar.

Learned counsel for the petitioner submits that the



petitioner was not arrested from the spot, his name transpired in the confessional statement and the petitioner has been made an accused merely on the basis of his antecedents.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 17.12.2020, charge-sheet has been submitted in the case and his name transpired in the confessional statement which has no evidentiary value for the purposes of bail, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Vaishali at Hajipur in connection with Desari P.S. Case No. 8 of 2020 with a condition that one of the bailor shall be the father of the petitioner (Naresh Ray) and in the event, if the petitioner is implicated in a case of similar nature, the court below will forthwith cancel his bail bonds.

(Satyavrat Verma, J)

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