

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21330 of 2023

Arising Out of PS. Case No.-352 Year-2022 Thana- ALOULI District- Khagaria

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DASRATH KUMAR @ DASHRATH KUMAR Son of Ramdhari Mahto
R/V- Raun PS- Allauli Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 22-05-2023 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 A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Alauli P.S. Case No.352 of 2022 dated 30.07.2022 registered for the offence punishable u/s 25(1-B)a, 26 and 35 of the Arms Act.

As per the prosecution case, on secret information, the police arrested the petitioner boarded on a motorcycle and recovered one pistol and on opening of the magazine four bullet were recovered and two country-made pistol with one live cartridges were recovered from one bag.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this



case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is accused in one more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 31.07.2022

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

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged 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 Court concerned, Khagaria in connection with Alauli P.S. Case No.352 of 2022, with the condition :-

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.

The application stands allowed.

(Chandra Prakash Singh, J)

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