

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25691 of 2023

Arising Out of PS. Case No.-31 Year-2023 Thana- DUMARIAGHAT District- East
Champaran

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Anuj Kumar Singh Son Of Shree Paras Singh Resident Of Village -
Semuapur, P.S. - Dumariyaghat, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate
For the Opposite Party/s : Mr. Navin Kr. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 24-07-2023 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with

Dumariaghat P.S. Case No.31 of 2023 registered for the offence

under Sections 399 and 402 of the Indian Penal Code and

Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. The accused/petitioner is named in the F.I.R. and is

in custody since 03.02.2023.

4. The allegation against the petitioner is to involve

in preparations of dacoity alongwith other co-accused persons

and while preparing so found in possession of one loaded

countrymade pistol alongwith five live cartridges.

5. Learned counsel appearing on behalf of the



petitioner submitted that the implication of petitioner appears only for the reason as he found in possession of one countrymade pistol and five live cartridges, whereas legal ingredients as to established a, *prima facie*, case for preparations for committing dacoity is altogether different and cannot be gathered from the narration of the F.I.R. It is further submitted that nothing surfaced during the course of investigation, which may suggest alleged preparations was for committing dacoity. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of the facts and circumstances as mentioned above as implication of petitioner appears only being in possession of firearms and live cartridges, who is a man of clean antecedent coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 03.02.2023, accordingly, petitioner, above named, is directed to be released on bail in connection with Dumariaghat P.S. Case No.31 of



2023 on 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, East Champaran at Motihari/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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