

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34447 of 2023

Arising Out of PS. Case No.-2 Year-2023 Thana- JURAWANPUR District- Vaishali

DINESH RAI @ JHADELA RAI Son of Ram Babu Rai Resident of village -
Kala Diara, P.S. - Salimpur, Distt. - Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Chandra Verma, Advocate

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 24-06-2023 Heard the parties.

The petitioner is in custody since 11.1.2023 in connection with Jurawanpur P.S. Case No. 2 of 2023 for the offence punishable under Sections 25(1-b), 26, 27 and 35 of the Arms Act lodged on 10.1.2023 by the informant Sandeep Kumar.

The allegation in the FIR is that when the informant reached Virpur Chhotan Chowk, on the sight of the police, two persons tried to escape by opening fire in the air but they were apprehended, the petitioner being one of them. On search, from the hand of Ashok Kumar, a country made pistol with cartridges were recovered/seized while from this petitioner, two cartridges were recovered. Accordingly, the FIR.

Taking into account the fact that recovery of country



made pistol is attributed to Ashok Kumar and so far as this petitioner is concerned, cartridges have been recovered/seized and is in custody since 11.1.2023, this Court is inclined to extend him the privilege of bail.

Learned APP opposes the prayer.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate,-III, Vaishali at Hajipur, in connection with Jurawanpur P.S. Case No. 2 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(v) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

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