

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66819 of 2022

Arising Out of PS. Case No.-286 Year-2022 Thana- BASANTPUR District- Siwan

Deepak Rai @ Dipu Rai S/o Harendra Ray R/o- Basantpur, P.S.- Basantpur,
District- Siwan at present R/v and P.S.- Janta Bazar, District- Chapra, Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-02-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Basantpur
P.S. Case No.286 of 2022 registered for the offence under
Section 414 of the Indian Penal Code and 25(1-b) a/26/35 of the
Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 20.06.2022.

The allegation against the petitioner is to have in
possession of stolen motorcycle and one country made loaded



pistol alongwith other co-accused persons.

Learned counsel appearing on behalf of the petitioner submitted that the alleged recovered stolen motorcycle was found parked near petitioner and as such mere on the basis of suspicion he was alleged to be shown in possession of said stolen motorcycle. It is also pointed out that country made pistol also not appears to be recovered from the conscious physical possession of this petitioner. While concluding the argument, it is submitted that petitioner found involved in three more cases, where in two cases he is on bail and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

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

In view of the facts and circumstances as mentioned above and by taking note of the allegations, where petitioner is in custody since 20.06.2022 coupled with the fact that charge-sheet has already been submitted, let above named petitioner is directed to be released on bail in connection with Basantpur P.S. Case No.286 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of Chief Judicial Magistrate,
Siwan/concerned court, subject to the conditions as mentioned
under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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