

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74815 of 2022**

Arising Out of PS. Case No.-466 Year-2022 Thana- JAMUI District- Jamui

DUBESH KUMAR RAWAT S/o Bishundeo Rawat R/v- Bachhiyar, P.S. and
District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 17-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since
12.09.2022, in connection with Jamui P.S. Case No. 466 of
2022, F.I.R. dated 11.09.2022 registered for the offences
punishable under Sections 399, 402, 120(B)/34 of the Indian
Penal Code and Sections 25(1-b)A, 26, 35 of the Arms Act.

The case relates to recovery of one loaded country
made pistol, one live cartridge and one mobile phone.

Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that it appears from the F.I.R.
as well as seizure list that one country made pistol, one live
cartridge and one mobile phone have been recovered from the



possession of the petitioner. He further submits that co-accused persons namely Ranveer Kumar Mandal @ Pappu Mandal and Rocky Thakur @ Roki Thakur have been granted bail by a Coordinate Bench of this Court vide order dated 20.03.2023 passed in Cr. Misc. No. 69849 of 2022 and its analogous case and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 12.09.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries one more case other than the present one in which he is on bail.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail 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, Jamui in connection with Jamui P.S. Case No. 466 of 2022, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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