

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78461 of 2023

Arising Out of PS. Case No.-497 Year-2023 Thana- GOVINDGANJ District- East
Champaran

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Raj Kumar Dubey @ Raj Kumar Son of Subhash Chandra Dubey R/O
Village- Rajepur Dubey Tola, P.S.- Govindganj, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 06-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Govindganj (Areraj) P.S. Case No. 497 of 2023 instituted for
the offences under Sections 25(1-b)a, 26 and 35 of the Arms
Ac.

3. As per prosecution case, the Informant, on receipt of
secret information, reached at the place of occurrence and saw
that one person seeing the police vehicle is trying to flee away
from there on Bullet motorcycle but, on chase, he was
apprehended by the police. The arrested person disclosed his
name as Raj Kumar Dubey (the petitioner). On search, one
country made loaded pistol with one live cartridge of .135 bore



was recovered from his left side of waist. One mobile and one block colour Royal Enfield Motorcycle were also recovered from his possession.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. He further submits that the seized motorcycle belongs to the petitioner. The petitioner has three criminal antecedents out of which in two of them, he is on bail. The petitioner is languishing in judicial custody since 26.08.2023. There is no specific allegation of any overt act against the petitioner and the petitioner has been implicated in the present case only on the basis of suspicion.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the entire facts and circumstances of the case as also taking into account the period of custody, et the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Govindganj (Areraj) P.S. case No. 497 of 2023, subject to the following conditions;

(i) One of the bailors shall be own/close member of



the family of the petitioner.

(ii) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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