

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3356 of 2023

Arising Out of PS. Case No.-383 Year-2020 Thana- MOTIHARI TOWN District- East
Champaran

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Umang Dubey, Son of Anand Kumar Dubey, Resident of Village- Ward No.
33, West Gopalpur, Behind Syndicate Bank, Motihari, P.S.- Town, District-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rahul Singh, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 27-04-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned

A.P.P for the State.

The petitioner has preferred this application for grant

of regular bail in connection with Motihari Town P.S. Case No.

383 of 2020 dated 06.07.2020 registered for the offences

punishable u/ss 399 and 402 of the Indian Penal Code and

Sections 25(1-B)A, 26 and 35 of the Arms Act.

As per the prosecution case, the petitioner and the

co-accused persons are alleged to have assembled for



making preparation to commit crime and several incriminating articles were recovered from the possession of the co-accused persons.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No incriminating article has been recovered from the possession of the petitioner. No T.I.P. has been conducted by the prosecution. The co-accused person has already been granted bail by the Coordinate Bench vide order dated 26.10.2021 passed in Cr. Misc. No. 18236 of 2021. The petitioner is accused in ten other criminal cases out of which seven cases has been lodged by the police against the petitioner as stated in para 3 of the bail petition. The petitioner is in custody since 29.06.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran in connection with Motihari Town P.S. Case No. 383 of 2020 with the following condition :-



1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, his bail bonds is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

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