

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15326 of 2024

Arising Out of PS. Case No.-12 Year-2023 Thana- BARARI District- Katihar

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Dhiraj Singh @ Mukesh Kumar @ Mukesh Singh S/o- Arvind Kumar Singh
Village- Bakharpur Ps- Pirpaity Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Priya Ranjan, Advocate

For the State : Ms. Rina Sinha, APP

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

ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Barari
P.S. Case No. 12 of 2023 instituted for the offence under
Sections 25(1-B)a, 26 & 35 Arms Act.

3. As per prosecution case, there is recovery of one
0.315 bore rifle and 11 live cartridges from the mango orchard.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 09-01-2023. Petitioner
bears five criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. It is submitted that recovery is from an open place, which is accessible to one and all. No incriminating article has been recovered from the conscious possession of the petitioner. Seizure list is not in accordance with law. Charge sheet has already been submitted in this case.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner 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 Barari P.S. Case No. 12 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)

Raj Kishore/-

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