

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35932 of 2024**

Arising Out of PS. Case No.-196 Year-2023 Thana- NAUTAN District- West Champaran

DASHRATH SONI S/O DHRUP SAH @ LOTAN SAH R/O VILLAGE-  
PARSOUNI, P.S- PAHARPUR, DISTT.- EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      30-05-2024                      Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Nautan (Jagdishpur) P.S. Case No. 196 of 2023, lodged on 18.05.2023 under Sections 399, 402, 414 of the Indian Penal Code and under Sections 25(1-b)A, 26, 35 of the Arms Act.

3. As per the prosecution case, FIR has been lodged against seven named accused persons including the present petitioner. The allegation against them is that they had assembled for loot and dacoity and when police reached there, they all tried to flee from the place. On search, the police recovered one country made pistol along with one live cartridge and two mobile phones.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel also submits nothing has been recovered from the conscious possession of the petitioner. Counsel further submits that the petitioner's name has been disclosed by the apprehended accused person and he has not been apprehended from the place of occurrence.

5. Learned counsel for the petitioner submits that the criminal antecedent of the petitioner is not clean and there are four criminal cases pending against him in which he is on bail. The petitioner is in custody since 04.12.2023 in the present case.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the criminal antecedent of the petitioner is not clean and this aspect may be taken into consideration while considering the bail application of the petitioner.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be granted bail, but only after framing of charge, if not framed on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bettiah, District- West Champaran in connection with Nautan



(Jagdishpur) P.S. Case No. 196 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C.

8. However, the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:-

- (I)- Chanpatiya P.S. Case No. 118 of 2019.
- (II)- Bettiah Muffasil P.S. Case No. 361 of 2021.
- (III)- Nautan (Jagdishpur) P.S. Case No. 166 of 2023.
- (IV)- Chanpatiya P.S. Case No. 291 of 2021.

**(Dr. Anshuman, J)**

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