

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47393 of 2024

Arising Out of PS. Case No.-551 Year-2022 Thana- CHIRAIYA District- East Champaran

Abhishek Tripathi S/O Sunil Mani Tripathi @ Suneel Kumar Mani Tripathi
R/O Mohalla- Raja Bazar Motihari, P.S- Motihari Town, Distt.- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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

ORAL ORDER

3 18-09-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Chiraiya PS Case No. 551 of 2022 instituted for the offences
under Section 412 of the Indian Penal Code and Sections 25(1-
b)a, 26 & 35 of the Arms Act.

3. The earlier bail application of the petitioner was
rejected *vide* Annexure-P/1 to the present application taking into
account that nature of allegation.

4. Prosecution case, in brief, is that there is recovery
of two loaded pistol and a bag containing three country made
pistol, eight cartridges, a knife and cash of Rs. 4,90,260/- from
the possession of the co-accused, including the petitioner.



5. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. It is submitted that petitioner has no concern with the recovered arms and recovery is planted. Petitioner is remanded in the present case on 27-12-2022. Learned counsel for the petitioner further submits on 11-10-2023, charge has also been framed. Petitioner bears six criminal antecedents.

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

7. A report was called for from the Trial Court. It has been reported that out of eight charge sheet witnesses only two witnesses have been examined. It is further reported that trial is expected to be concluded within a period of six months.

8. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and that the charge being framed, this Court is inclined to grant bail to the petitioner.

9. 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 Chiraiya



P.S. Case No. 551 of 2022, 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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