

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62169 of 2023**

Arising Out of PS. Case No.-219 Year-2023 Thana- RIGA District- Sitamarhi

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DIPU DAS @ DEEPU DAS son of Shankr Das @ Shankar Das Village-  
Sirahi Matawa W.No-9, Panchayat Sirahi Shahbazpur Ps- Riga Dist-  
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Jagjit Roshan

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      02-01-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Section 414 of the Indian Penal Code and Sections 25(1-b)a, 26/35 of the Arms Act.

As per prosecution case, the petitioner was apprehended on the spot and from his possession, two life cartridges, mobile and one Splendor motorcycle were recovered.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case. The petitioner has no concern with alleged arm which was seized by the police.



Both the seizure list witness are police personnel which is complete violation of Section 100 of Cr.P.C. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated co-accused has already been granted bail by this Court vide order dated 10.10.2023 passed in Cr. Misc. No. 63782 of 2023. The petitioner is languishing in judicial custody since 13.06. 2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Riga P.S. Case No. 219 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-VI, Sitamarhi.

**(Sunil Kumar Panwar, J)**

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