

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74935 of 2025

Arising Out of PS. Case No.-363 Year-2025 Thana- PIPRA District- East Champaran

Dinesh Kumar S/o Umesh Prasad R/o Village- Bisunpura, P.S.- Pipra,
District- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Prateek Tandon

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 24-12-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Pipra
P.S. Case No. 363 of 2025 registered for the offences punishable
under Sections 25(1-B)a, 26, 25(9), 27 of the Arms Act.

3. As per prosecution case, on 16.08.2025 the
informant recorded his self statement alleging therein that he got
information of one viral video of firing on social media platform
and after making verification regarding the said viral video
informant reached at the house of the petitioner but petitioner
was not found at his house. Nearby people disclosed that
petitioner fled away on getting information of arrival of police.

4. Learned counsel for the petitioner submits that
petitioner is quite innocent and has committed no offence as



alleged in the FIR and he has falsely been implicated in this case due to high handedness of the police. Basically, no incriminating article has been recovered from conscious possession of the petitioner. He further submits that from perusal of the impugned order it is evident that on the statement of petitioner alleged firearm was recovered and accordingly, same was seized. It has been submitted by counsel for the petitioner that only one live cartridge and one country made katta were recovered from an abandoned place and the petitioner's involvement is very much doubtful in the manner in which the alleged recovery was made. Petitioner is in custody since 16.08.2025 and bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner and submits that petitioner is FIR named accused and he cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence,



argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Pipra P.S. Case No. 363 of 2025, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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