

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84978 of 2024

Arising Out of PS. Case No.-632 Year-2023 Thana- NAGAR District- Vaishali

Dheeraj kumar @ Triple D S/o- Jaswant Singh Village- Baranti P.S.- Raja
Pakar District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Nirmal Kumar Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

6 01-07-2025 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Section 392 of I.P.C. and Section 27 of Arms Act.

3. The prosecution case is to the effect that the informant has alleged that while he was riding his scooter, three miscreants overtook him and intercepted him and demanded the bag he was carrying and on refusal of the same one of the miscreants fired a shot and thereafter the informant handed over the bag to the miscreants who subsequently fled away.

4. The learned counsel for the petitioner submits that petitioner is not named in the FIR and it transpires that during the course of investigation, the police apprehended the



petitioner and one motorcycle and one country-made pistol was recovered from his possession and in the said case it is on the confessional statement of the petitioner that the other named co-accused was apprehended and the name of the petitioner was also included in the present case. It has further been submitted that no incriminating article has been recovered though the petitioner is stated to be in possession of the motorcycle and the country-made pistol used in the present case, however, a separate case being Hajipur Town P.S. case No. 11 of 2024 was lodged for the recovery of country-made pistol. The learned counsel has pointed out that the other co-accused persons whose name has surfaced in the confessional statement of the petitioner, has been enlarged on bail by a Co-ordinate Bench of this Hon'ble Court. The learned counsel has submitted that merely because the petitioner carries long list of antecedents, he has been falsely implicated in the present case and he is in custody since 20.01.2024.

5. The learned A.P.P. has vehemently opposed the prayer for bail and has stated that petitioner has been apprehended by the police and the motorcycle and the country-made pistol was recovered from his possession.

6. Having considered the aforesaid facts and



circumstances and taking into account the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection Hajipur Town P.S. Case No. 632 of 2023, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the



above-mentioned order shall not be delayed for purpose of or in the name of verification.

(vi) In view of the antecedent of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Vaishali within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned, order shall not be delayed for purpose of or in the name of verification

(Sourendra Pandey, J)

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