

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30880 of 2015

Arising Out of PS.Case No. -125 Year- 2014 Thana -GAURICHAK District- PATNA

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1. Ajay Paswan Son of Ramashish Paswan @ Sudama Paswan Resident of
village - Masaudhi Dihpar, P.S. Masaudhi, Distt. - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Shraddhanand Paswan

For the Opposite Party/s : Mr. Renuka Ratnakar (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 30-10-2015

Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 399 and 402 of the I.P.C and sections 25
(1-B) A, 26 and 35 of the Arms Act.

Allegedly, acting on a tip off that some criminals have
assembled near Punpun Patna Raksha Bandh for committing crime
the informant and other police personnel went there and after
seeing the police personnel the miscreants tried to flee away but
six of them including the petitioner were caught and on search
from possession of the petitioner one loaded country made pistol
was recovered and further from possession of other co-accused
also fire arm and other incriminating articles were recovered.

Submission is of false implication and that the alleged

search and seizure has been made without complying the mandatory provision of law. Some of the co-accused have been allowed bail by the court below and the petitioner is suffering in custody since 13.05.2014 and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for bail by submitting that the petitioner has got criminal antecedent as he is involved in three more cases.

In the facts and circumstances as stated above, considering the alleged recovery and the period of detention now the petitioner is directed to 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 Sri Sanjay Kumar-IVth, J.M. 1st Class, Patna City in Gaurichak P.S. Case No. 125 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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