

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.26869 of 2017**

Arising Out of PS.Case No. -16 Year- 2017 Thana -GAYA MUFFSIL District- GAYA

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Dharmendra Paswan son of Rohan Paswan resident of village - Baktiyarpur,  
Police Station - Hashpura and District - Aurangabad.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manish Kumar No-2, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      10-07-2017                      Heard learned counsel for the petitioner and  
  
the learned A.P.P. for the State.

Petitioner is languishing in judicial custody  
since 14.01.2017 in connection with Mofassil P.S. Case  
No. 16 of 2017 registered for the offence punishable under  
Sections 25(1-b)/26 of the Arms Act.

The prosecution case, as lodged by the police  
personnel, is that on a secret tip-off that some persons are  
planning to commit crime, they proceeded for checking  
and on the road apprehended the petitioner along with one  
loaded country made pistol, one live cartridge and a  
mobile.



It has been submitted by the learned counsel for the petitioner that he is innocent, has committed no offence and simply because he has past criminal antecedent, out of which two cases are of the year 2005 and 2008 respectively, he has been made accused in the aforesaid case. It is further submitted that no overt act has been committed by the petitioner and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Mofassil P.S. Case No. 16 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner, who would file an affidavit stating his relationship with the petitioner and that the said bailor must have sufficient immovable properties



within the territorial jurisdiction of the concerned P.S./  
Court.

**(Nilu Agrawal, J.)**

Arjun/-

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