

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35803 of 2017

Arising Out of PS.Case No. -11 Year- 2017 Thana -RISHIUP District- AURANGABAD

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Birbal Paswan @ Bheem, S/o Sitaram Paswan, Resident of Village-
Moharkarma, Post- Simri Dhmani, Simri Police Station- Nabinagar,
District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Shri Akhileshwar Pd. Singh, Sr. Adv.

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 11-08-2017 Heard learned counsel for the petitioner and the State.

Petitioner is an accused in Risiup P.S. Case No. 11 of
2017 for the offence under sections 384, 386, 121, 124A, 505B of
the Indian Penal Code, 25(1-b)a & 26 of the Arms Act and Section
17 of C.L.A.

Counsel for the petitioner submits that petitioner has
remained in jail in this case for more than six months and from the
FIR, it appears that he was apprehended while he was sitting in the
eastern side of the canal. From his possession currency of 70 notes
of 100 and 6 notes of 2000 denomination was seized and one
country made pistol with two live cartridges and two mobiles. He
submits that in totality of facts situation he has not committed any
crime and simply from his possession one country-made pistol and



certain currency was recovered and he has remained in jail for more than six months, as such, he deserves bail.

In paragraph-3 it is mentioned that the petitioner is also accused in other cases.

In paragraph-4 of the application the petitioner has mentioned that he has not been allowed bail in cases at sl. no. 6 to 11.

Having regard to the fact that the petitioner has remained in jail for more than six months in the instant case involving arms Act, let the petitioner, named above, be released on bail, if he is not otherwise required with reference to the cases as mentioned in para-3 and 4 of his bail application at sl. 6 to 11, on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-VIII, Aurangabad, in connection with Risiup P.S. Case No. 11 of 2017 with condition that one of the bailors should be the close family members of the petitioner and further on the condition that the petitioner will extend full cooperation in the trial and will not, in any manner, tamper the evidence or influence the witnesses.

(Anil Kumar Upadhyay, J)

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