

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35307 of 2018

Arising Out of PS. Case No.-127 Year-2017 Thana- LAXMIPUR District- Jamui

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Kundan Paswan S/o- Sidheshwar Paswan, resident of Village- Chhoti,
Chandwari Police Station- Jhajha, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 20-06-2018 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner, already in custody, seeks bail in connection
with Laxmipur PS Case No.127 of 2017 registered under
Sections 399 and 402 of the Indian Penal Code as well as under
Sections 25(1-B)a/26/35 of the Arms Act.

Allegation in brief is that after receiving secret
information that some miscreants had assembled for committing
dacoity, the police apprehended the miscreants including the
petitioner from whose possession one loaded country made
pistol with two live cartridges were recovered.

Submission is that the recovery of the so called arms
is fabricated as there is no independent witness of the seizure
list, both witnesses are police personnel, moreover the petitioner



has been in custody in this case for approximately one year.

Having considered the aforesaid facts and circumstances, petitioner Kundan Paswan 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 learned CJM, Jamui in connection with Laxmipur PS Case No.127 of 2017 with following conditions:

(1) One of the bailors must be the close family member of the petitioner.

(2) The petitioner shall remain physically present on each and every date before the trial court and if he absents himself on two consecutive dates without any reasonable cause, his bail bond shall liable to be cancelled.

(Arun Kumar, J)

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