

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21515 of 2020

Arising Out of PS. Case No.-23 Year-2020 Thana- BIHARIGANJ District- Madhepura

SHRAVAN PASWAN Son of Rajo Paswan @ Rajendra Paswan Resident of
Village - Rajganj, Gahirka Tola, Ward No. 12, P.S.- Bihariganj, District -
Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr. Rajballav Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 22-07-2020 Heard learned counsel for the petitioner and learned APP
for the State through video conference. Learned counsel for the
petitioner undertakes that all defects pointed out by the Stamp
Reporter shall be removed, and compliance with the conditions of the
notices of this Court with regard to acceptance of e-filing shall be
made, without delay immediately after the lockdown ends, and in any
event within one month thereof.

2. The petitioner is in custody since 21.01.2020 in
connection with Bihariganj P.S. Case No. 23 of 2020 for the offences
alleged under Sections 399, 402, 414 of the Indian Penal Code and
Section 25(1-b)a/26/35 of the Arms Act.

3. It is submitted that the petitioner has been falsely
implicated on mere suspicion, and there is no objective material to
connect the petitioner with the alleged occurrence. It is submitted that
no arms whatsoever have been recovered from the petitioner, rather
recovery of articles such as country-made pistol and live cartridges
have been found from other co-accused persons. It is therefore



submitted that the provisions of the Arms Act are not applicable as regards the petitioner. Similarly situated co-accused Ashish Kumar has been granted bail by this Court in Cr. Misc. No. 21480 of 2020. The petitioner claims clean antecedents.

4. Learned APP appears and has been heard.

5. Be that as it may and having regard to the period of custody already suffered since 21.01.2020, 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 Sri Abhimanyu Kumar, learned Judicial Magistrate 1st Class, Uda-kishunganj, District Madhepura in connection with Bihariganj P.S. Case No. 23 of 2020, if he is not otherwise required in any other case.

6. Office shall ensure that all defects have been removed and compliance with the notices of this Court has been made, within the stipulated time as provided in para 1 hereinabove.

(Vikash Jain, J)

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