

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM OFFICIAL CHAMBERS VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.18042 of 2021**

Arising Out of PS. Case No.-93 Year-2019 Thana- SONO District- Jamui

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AMARJEET KUMAR PASWAN @ AMARJEET PASWAN S/o Ishwar
Pawan R/o village- Nariyana, P.S.- Khaira, District- Jamui- 811317

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar, Adv.

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 01-10-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Md. Fahimuddin, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Sono P.S. Case No.93/2019 registered for the offences punishable under Sections 25(1-b)A, 26 and 37 of the Arms Act. He is in custody since 29.03.2019. The petitioner has got ten criminal antecedents as stated in paragraph '3' and he is said to be on bail in all the cases.

Learned counsel for the petitioner submits that, as per the prosecution story, one live cartridge of 315 bore has been



recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that nothing incriminating has been recovered from the conscious possession of the petitioner and he is in judicial custody in connection with this case for over two and half years.

Learned counsel further submits that the co-accused similarly situated have been granted bail by learned coordinate Benches of this Court in Cr.Misc.Nos.45996/2019, 47860/2019, 64205/2019 and Cr.Misc.No.17213/2020.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein one live cartridge is said to have been recovered from the possession of the petitioner, although the petitioner has got ten criminal antecedents but it is stated in paragraph '3' that he is on bail in all the cases and further that the petitioner has contended before this Court that the co-accused similarly situated have been granted bail by learned coordinate Benches of this Court in Cr.Misc.Nos.45996/2019, 47860/2019, 64205/2019 and Cr.Misc.No.17213/2020, the petitioner has



remained in jail in connection with this case for over two and half years but the trial has not been concluded as yet, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Jamui in connection with Sono P.S. Case No.93/2019, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

And further condition that henceforth once in every two months the petitioner shall mark his attendance before the S.H.O. of Khaira police station in the District of Jamui and shall keep on furnishing his complete whereabouts and mobile number to the S.H.O. If he is required to go outside the jurisdiction of the police station in connection with any employment etc. then also he will furnish his address and other



information to the S.H.O. Non-compliance with this condition shall be reported by the S.H.O. of Khaira police station to the learned court below and steps shall be taken for cancellation of the bail of the petitioner.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

