

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19020 of 2021

Arising Out of PS. Case No.-142 Year-2019 Thana- BIHRA District- Saharsa

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SHARVAN PASWAN @ SHRABAN PASWAN SON OF RAM PRASAD
PASWAN Resident of Village - Pastwar, Ward No.1, P.S.- Mahishi, Dist.-
Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Anand Mohan Pd. Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-09-2021 Heard learned counsel for the parties through video
conferencing.

The petitioner has preferred this application for grant
of regular bail in a case registered under section 414 of the
Indian Penal Code and sections 25(1-B)(a), 26 and 35 of the
Arms Act.

As per the prosecution case, on a search it is stated
that a pistol, live cartridges and a stolen Yamaha motorcycle was
recovered from the possession of accused Satyam Singh, Ankit
Choudhary and Durga Nand Singh. It is stated that one of the
accused disclosed that the stolen motorcycle had been given to
them by this petitioner.

It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in the case. Neither he was arrested at the spot nor any incriminating material has been recovered from his possession. There is no material against him except the statement of a co-accused made before police. The petitioner is in custody since 25.10.2019 and the cause of his false implication is his antecedent. Chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the contents of the F.I.R. together with the period in custody, the Court directs the petitioner to be enlarged on bail in connection with Bihra P.S. Case no.142 of 2019 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Saharsa.

(Partha Sarthy, J)

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