

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7193 of 2022

Arising Out of PS. Case No.-582 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

VIKASH KUMAR Son Suresh Paswan Resident of Village - Bhagwanpur
Shiv Mandir Near Prabhat Tara Hospital, P.s.- Sadar, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mazharul Hassan
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-05-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Muzaffarpur Sadar Police Station Case No. 582 of 2020
registered under Sections 412/401/34 of the Indian Penal Code
and Sections 25 (1-b)a/26/35 of the Arms Act.

The prosecution case, as per the First Information
Report, is that one country-made loaded pistol along with one
live cartridge was recovered from the possession of the
petitioner.

Learned Counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case by the police with



oblique motive. He further submits that similarly situated co-accused, namely, Dabloo Kumar @ Nepali has been granted bail by this Court, vide order, dated 08.04.2022, passed in Criminal Misc. No. 51034 of 2021. He further submits that the petitioner is in custody since 07.10.2020 and charge sheet has already been submitted against him and as such there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record and the fact that similarly situated co-accused person has been granted bail by this Court, charge sheet ha already been submitted and the petitioner is in custody since 07.10.2020, I am inclined to grant regular bail to the petitioner.

This application is, accordingly allowed.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur, in connection with Muzaffarpur Sadar Police Station Case No. 582 of 2020, subject to the condition that the petitioner shall remain present on each and every date during the course of trial and in case of default on two consecutive dates on the part of



the petitioner, his bail bond shall liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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