

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.10134 of 2022**

Arising Out of PS. Case No.-555 Year-2021 Thana- SHERGHATI District- Gaya

Mritunjay Paswan Son of Udai Paswan Resident of Village- B.T. Bigha, P.S.-  
Sherghati, Dist- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, A.P.P

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**

ORAL ORDER

4      18-08-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

Let the defect (s), as pointed out by the office, be  
removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case  
registered for the offences punishable under Sections 414 of the  
Indian Penal Code and 25(1-b)a, 26 and 35 of the Arms Act.

Allegation against the petitioner is recovery of a  
motorcycle, a countrymade pistol and a mobile from the  
possession of the petitioner.

Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence. He further  
submits that the name of the petitioner transpired in this case  
only on the basis of misunderstanding by informant. It is further



submitted that the seized articles do not concern to the petitioner. The petitioner is in custody since 08.09.2021, charge-sheet has been submitted in the case and has antecedent of three cases.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Sherghati, Gaya in connection with Sherghati P.S. Case No. 555 of 2021, subject to the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

(3) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate



the proceeding for cancellation of bail on ground of misuse.

(4) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

**(Khatim Reza, J)**

Gaurav Kumar/-

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