

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35865 of 2021

Arising Out of PS. Case No.-66 Year-2020 Thana- BARABAR TOURIST District- Jehanabad

SAKATI PASWAN SON OF SRI LAL PASWAN Resident of Village-
Khaskhori, P.S.- Barabar Paryatak (Tourist) (Bishunganj O.P.), District-
Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Sinha

For the Opposite Party/s : Mr. Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-01-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Barabar Paryatak (Tourist) Police Station Case No. 66 of 2020,
registered for the offences punishable under Sections 25(1-
b)A/26/35 of the Arms Act.

The prosecution case, as per the First Information
Report, is that the police intercepted two persons and upon
seeing the police, one of them started fleeing away and also
succeeded in fleeing away, however, a country-made pistol fell
down from his waist. The police recovered one loaded country-
made pistol from the possession of co-accused Sunny Paswan,
who disclosed the name of the petitioner as the person who



succeeded in fleeing away.

Learned Counsel for the petitioner submits that the name of the petitioner has transpired in this case on the basis of the disclosure made by the arrested co-accused. He further submits that the petitioner has not committed any offence in the manner alleged and no fire arm has been recovered from the conscious possession of the petitioner and the police has recovered one country-made pistol lying on the road. He further submits that the petitioner has got no criminal antecedent of similar nature. He further submits that the petitioner is in custody since 09.09.2020 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the petitioner has got no criminal antecedent of similar nature, charge sheet has already been submitted, nothing has been recovered from the possession of the petitioner, and the petitioner is in custody since 09.09.2020, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.



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 learned Judicial Magistrate, 1st Class, Jehanabad, in connection with Barabar Paryatak (Tourist) Police Station Case No. 66 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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