

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36649 of 2021

Arising Out of PS. Case No.-915 Year-2020 Thana- MADHEPURA District- Madhepura

KUNDAN PASWAN @ KUNDAN KUMAR PASWAN S/o Jhabar Paswan
Resident of Village- Bhan, Ward No. 8, P.S. and District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-01-2022 Heard Mr. Shailendra Kumar Singh, learned counsel
for the petitioner and Mr. Bharat Bhushan, Additional Public
Prosecutor for the State through video conferencing.

Petitioner seeks regular bail in connection with
Madhepura PS Case No. 915/2020 registered for the offence
punishable under Sections 25(1-b)a, 26, 35 of Arms Act.

The police, after receiving an information that one
Shyam Kumar Paswan along with other accused persons are
engaged in manufacturing of illegal arms, proceeded towards
the place of occurrence and recovered several equipments and
semi manufactured part of fire arms from the hut of co-accused,
Shyam Kumar Paswan and also arrested three accused persons,
who disclosed the name of petitioner and one Sanoj, who made
a successful escape from the place of occurrence.



Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent and he has falsely been implicated in this case on the basis of disclosure of his name by co-accused persons. Learned counsel next submits that from the seizure list, it would be evident that the equipment, meant for manufacturing of illegal arms, has been recovered from the hut of co-accused, Shyam Kumar Paswan and three persons were arrested from the spot out of whom, Shyam Kumar Paswan and Md. Munna have been granted bail by co-ordinate Benches of this Court *vide* Cr. Misc. Nos. 27742 and 31641 of 2021 respectively.

Learned counsel next submits that petitioner is in custody since 04.01.2021 having no criminal antecedent.

Having regards to the submissions made by the parties and taking into consideration the material on record and the fact that similarly situated co-accused persons have been granted bail by Co-ordinate Benches of this Court and petitioner is in custody since 04.01.2021 having no criminal antecedent, I am inclined to grant regular bail to the petitioner subject to the following conditions that:-

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate



with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

Accordingly, let the petitioner, KUNDAN PASWAN @ KUNDAN KUMAR PASWAN be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Madhepura PS Case No. 915/2020.

(Anil Kumar Sinha, J)

perwez

U		T	
---	--	---	--

