

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41083 of 2021

Arising Out of PS. Case No.-79 Year-2021 Thana- PATEPUR District- Vaishali

Rakesh Paswan Son of Basant Paswan Resident of Village - Paharpur, P.S.
Baligaun, District - Muzaffarpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Yugal Kishore, Advocate
		Ms. Rupa Kumari, Advocate
For the Opposite Party/s :		Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 05-01-2022 This application has been taken up for online hearing through video conference because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application for regular bail arises out of Patepur P.S. Case No. 79 of 2021, disclosing offence punishable under Sections 399/402 of the Indian Penal Code and Section 25(1-b) (a)/26/35 of Arms Act.

The petitioner is in custody since 04.04.2021. It has been stated in paragraph-3 of the application that he does not have any criminal antecedent. Six persons including petitioner were apprehended by the police, according to the prosecution's



case, while planning to commit some crime on the basis of a secret information. The petitioner was allegedly apprehended with Honda SP Shine motorcycle and one live cartridge.

Learned counsel appearing on behalf of the petitioner has submitted that the motorcycle recovered from the petitioner belongs to him. He has relied on a certificate of registration issued by the Department of Transport which has been brought on record by way of Annexure-2 to this application.

Considering the fact that only accusation against the petitioner is of having been found in possession of a live cartridge, and he is in custody since 04.04.2021, this application is allowed.

Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand), with two sureties of the like amount, each to the satisfaction of learned A.C.J.M. III, Vaishali at Hajipur in Patepur P.S. Case No. 79 of 2021.

(Chakradhari Sharan Singh, J)

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