

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41363 of 2021

Arising Out of PS. Case No.-81 Year-2021 Thana- NOORSARAI District- Nalanda

Jitendra Paswan Son of Ramdev Paswan Resident of Village- Bansgopalpur,
P.s.- Noorsarai, District- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Adv.

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 20-01-2022 The matter has been listed today for consideration
through virtual mode.

Heard learned counsel appearing on behalf of the
petitioner as well as learned Additional Public Prosecutor
appearing for the State.

Let the defect(s) be removed within two weeks of
the complete start of the physical Court in normal course.

Petitioner who is in custody since 10.03.2021 seeks
regular bail in connection with Noorsarai P.S. Case No.81/2021
registered for the offence punishable under Section 25(1-b)a,26
of Arms Act.

Prosecution case in brief, is that in case bearing
Noorsarai P.S. Case No.77 of 2021, it was found that the firearm
was used was kept in the house of the petitioner which was
recovered after conduct of the raid along with 3.15 bore, one life



cartridges and one Khokha. Seizure list was prepared in the presence of independent witness and the petitioner was arrested on the spot.

Learned counsel appearing on behalf of the petitioner submits that in Noorsarai P.S. Case No.77 of 2021 the petitioner has already been granted bail. The petitioner has been made accused by showing recovery of one country made pistol from the possession of the petitioner's house just to implicate him in the said case, while nothing was recovered from the conscious possession of the petitioner.

Learned APP for the State, however, opposes the prayer for grant of bail to the petitioner.

Considering the above-mentioned facts and circumstances of the case, petitioner who is in custody since 10.03.2021 and there is no allegation of tampering the evidence or influencing the witness and no likelihood of trial being conducted in near future, the petitioner above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., VIIth, Nalanda at Bihar Sharif in connection with Noorsarai P.S. Case No.81/2021, subject to the following conditions:



(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

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

(Purnendu Singh, J)

Prakash Narayan /-

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