

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.41042 of 2021**

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

Chandan Paswan @ Vikki Raj, S/O Bira Paswan, R/O Village-Paharpur, P.S-
Beligaon, District-Vaishali (Hajipur).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh, Adv.

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

5 18-02-2022 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by office within four
weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Anuj
Kumar Shrivastava, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Patepur P.S. Case No.79 of 2021 registered for
the offences punishable under Sections 399 and 402 of the
Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms
Act. He is in custody since 04.04.2021. The petitioner has got
two criminal antecedent.

Learned counsel for the petitioner submits that, as per
the First Information Report, one loaded country made pistol,



one live cartridge and one motorcycle were recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that nothing incriminating has been recovered from the possession of the petitioner and he is in custody in connection with this case since 04.04.2021.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the allegation wherein one loaded pistol, one live cartridge and one motorcycle are said to have been recovered from the possession of the petitioner and the petitioner has got two criminal antecedents and in both the cases he is on bail and further submission that the seizure list does not bear the signature of the petitioner, two seizure list has been prepared at two different places, this Court directs that the petitioner above named be released on bail **on completion of one year of judicial custody** 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.-III, Vaishali at Hajipur in connection with Patepur P.S. Case No.79 of 2021, subject to the condition as laid down under



Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

And further condition that till conclusion of the trial in the present case the petitioner shall mark his attendance at least once in every two months in Beligaon police station in the district of Vaishali.

Copy of this order be communicated to the Superintendent of Police, Vaishali (Hajipur) through fax.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

