

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44104 of 2021**

Arising Out of PS. Case No.-573 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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CHIKKU KUMAR @ CHIKKU PASWAN SON OF CHANDI PASWAN @
CHANSI PASWAN R/O VILLAGE- PACHAMBA, P.S.- MUFFASIL,
DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vivekanand Vivek, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 11-03-2022

Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned APP 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 11.11.2020, seeks
regular bail in connection with Muffasil P.S. Case No. 573 of
2020 registered for offences punishable under Sections 25(1-
B)/26/35 of the Arms Act.

Prosecution case, in brief, is that on 11.11.2020 at
about 5:00 p.m., the informant, who is the police official
proceeded for patrolling with home guards. In course of
patrolling, one unknown motorcyclist told him that some people
are snatching articles from the pedestrians at N.H.- 31 near



Sadbhawna Nurshing Home. On seeing the police, four miscreants on two motorcycle began to flee away. On chase, two miscreants sitting on the back of motorcycle fell down and two miscreants succeeded to flee away. They disclosed their name as Chandan Paswan and Chiku Kumar. On search, one backpack containing articles, an empty cartridge and a mobile were recovered from the pocket of Chiku Kumar. One loaded pistol with three live cartridges and an empty cartridge were recovered from the possession of Chandan Paswan. Accordingly, seizure list was prepared in presence of witness.

Learned counsel appearing on behalf of the petitioner submits that two separate F.I.R. was lodged against the petitioner and others i.e. Muffasil P.S. Case No. 574 of 2020 under Section 392/397/411 of the Indian Penal Code and the present F.I.R registered under Section 25(1-B)/26/35 of the Arms Act. Petitioner has already been enlarged on bail in connection with Muffasil P.S. Case No. 574 of 2020. He further submits that prior to the present case petitioner has no criminal antecedent and he is in custody since 11.11.2020.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner.

Without going into the merits of the case and taking



into consideration the period of custody as well as nature of offence which has been committed by the petitioner, the petitioner, above named, is directed to be enlarged on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Muffasil P.S. Case No. 573 of 2020 subject to the following conditions:

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

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

(iii) 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.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(Purnendu Singh, J)

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