

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44093 of 2021**

Arising Out of PS. Case No.-325 Year-2020 Thana- BARARI District- Katihar

CHHOTU KUMAR PASWAN S/O KESHAV PASWAN @ KESHO
PASWAN R/o- Lal Kothi, P.S.- Katihar (N), Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Adv.

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 24-01-2022 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Sri Pawan Kr. Chaurasia, the learned APP for the State.

The petitioner seeks regular bail in connection with Barari PS case no. 325 of 2020 instituted for the offences punishable under Sections 25(1-b)a, 26, 35 of Arms Act.

The allegation is regarding the petitioner and the co-accused person namely Banti Kumar Rai having been apprehended by the police, whereafter search was made and from the possession of the said co-accused person, one



countrymade loaded pistol was recovered and as far as the petitioner is concerned, one live cartridge was recovered from his possession. It is also alleged that the accused persons could not produce the registration document of the motorcycle, on which, they were riding.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 15.12.2020. The learned counsel for the petitioner has further submitted that the petitioner has already been suffered a lot on account of his incarceration.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the



satisfaction of learned court of A.C.J.M. 5th, Katihar in
connection with Barari PS case no. 325 of 2020.

(Mohit Kumar Shah, J)

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