

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35826 of 2022**

Arising Out of PS. Case No.-53 Year-2022 Thana- KANHHAULI District- Sitamarhi

Sundar Paswan Son of Late Vilash Paswan R/o village - Navalpur Punarvas D  
Tola, P.S.- Navalpur (Lalbandi), District - Sarlahi (Nepal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dinesh Jha, Adv.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP.

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      19-09-2022                      Let the defect(s), if any, be removed within two weeks  
from today.

Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner seeks regular bail in connection with  
Kanhauli P.S. Case No. 53 of 2022, lodged under Sections 25(1-  
b)a, 26 of the Arms Act.

As per the prosecution case, the recovery of one *desi*  
loaded pistol alongwith one live cartridge were alleged to be  
recovered from the possession of petitioner.

Learned counsel for the petitioner submits that  
petitioner is an old aged person of 60 years. He further submits  
that antecedent of petitioner was clean prior to filing of present  
case, but his name has figured in 3 more cases after filing of

present F.I.R. He further submits that petitioner is in custody since 31.03.2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above and also considering the age of petitioner, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned J.M., 1<sup>st</sup> Class, Sitamarhi in connection with Kanhauli P.S. Case No. 53 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal

activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

**(Dr. Anshuman, J.)**

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