

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47330 of 2021**

Arising Out of PS. Case No.-308 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

B. K. @ BIKKi PASWAN @ BIKKi KUMAR S/o Late Sushil Paswan R/o  
Village- Balidani Durga Sthan, P.S.- Town, Dist- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Subodh Kumar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      28-02-2022                      Heard the learned counsel for the petitioner and Sri  
Yogendra Kumar, the learned APP for the State.

The petitioner seeks regular bail in connection with  
Town PS case no. 308 of 2021 instituted for the offences  
punishable under Sections 25(1-b)a, 26 of Arms Act and Section 37  
of Bihar Prohibition and Excise Act.

At the outset, the learned counsel for the petitioner  
seeks to make certain corrections in the name of the petitioner.  
Liberty so sought, is granted.

The learned counsel for the petitioner is  
permitted to make necessary corrections during the course of the  
day.

The allegation is regarding the police having  
apprehended the petitioner and upon search, one countrymade



pistol and two cartridges were recovered from the possession of the petitioner. It is also alleged that smell of liquor was oozing out from the mouth of the petitioner.

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 11.05.2021. The learned counsel for the petitioner has further submitted that the petitioner is an accused in some other cases but he is on bail in all the other cases.

*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 fact that the petitioner is languishing in custody since about 09 months, though I deem it fit and proper to admit the petitioner to the privilege of bail but subject to certain conditions, to which the learned counsel for the petitioner has no objection.

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 Additional Sessions Judge II-cum-Special Judge, Excise Act, Begusarai in connection with Town PS



case no. 308 of 2021.

It is further directed that the petitioner shall mark his presence before the officer-in-charge of the concerned police station at 10 am on every Monday, starting from the day he is released on bail, and in case of failure to do so on two consecutive occasions, the present privilege of bail shall stand cancelled automatically and the petitioner shall be taken into custody forthwith.

**(Mohit Kumar Shah, J)**

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