

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43147 of 2022

Arising Out of PS. Case No.-351 Year-2021 Thana- RAGHOPUR District- Supaul

AAZAD KUMAR PASWAN Son of Shivachandra Paswan Resident of
village- Belokhara P.S.- Pipra, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Jha

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-11-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Supplementary affidavit has been filed on behalf
of the petitioner. Let it be kept on record.

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

The petitioner seeks bail in connection with
Raghorpur P.S. Case No. 351 of 2021 registered for the offences
punishable under Section 25(1-b)a, 26, 35 of Arms Act.

As per prosecution case, one loaded country made
pistol alongwith one realme mobile was recovered from the
possession of the petitioner.

Learned counsel for the petitioner submits that
petitioner is in custody since 17.12.2021.Learned counsel



through supplementary affidavit submits that petitioner bears criminal antecedent of one case. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that Md. Furkan Khan and Pawan Kumar have already been granted bail vide Cr. Misc No. 35236 of 2022 and Cr. Misc No. 28277 of 2022 respectively by co-ordinate bench of this Court and the case of present petitioner stands more or less on similar footing.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, co-accused have already been granted bail by co-ordinate bench, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate Birpur in the District of Supaul in connection with Raghorpur P.S. Case No. 351 of 2021, subject to following conditions:-



(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

vashudha/-

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