

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50696 of 2021

Arising Out of PS. Case No.-90 Year-2019 Thana- RAJPUR District- Rohtas

MUNNA PASWAN Son of Deonanath Pawan Resident of Village-
Bhavadihri, P.S. - Sisirta, District - Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-02-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Rohtas (Bikramganj) P.S. Case No. 90 of 2019 instituted for the
offences under Sections 399, 402 of the Indian Penal Code read
with Sections 25(1-b)a, 26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 11.02.2021, charge-sheet has been
submitted and has antecedent of two cases.

The informant alleges that two accused were
apprehended from whose possession one loaded country made
pistol, eight live cartridges and two mobile phones were
recovered and they disclosed the name of the petitioner and



other accused persons who fled away from the place of occurrence after seeing the police.

Learned counsel for the petitioner submits that admittedly the petitioner has not been arrested from the spot, as such, nothing has been recovered from the possession of the petitioner and his name came in the confessional statement of co-accused. Learned counsel submits that because of criminal antecedent of the petitioner, he has been implicated in the present case.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted and petitioner was not arrested from the spot and name of the petitioner came in the confessional statement of co-accused and, as such, nothing was recovered from possession of the petitioner, 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, Bikramganj, Rohtas in connection with Rohtas (Bikramganj) Rajpur P.S. Case No. 90 of 2019, with condition that one of the bailors shall be the father of the



petitioner, namely, Deonanath Pawan and further if the petitioner is implicated in a case of similar nature, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(Satyavrat Verma, J)

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