

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43612 of 2022

Arising Out of PS. Case No.-427 Year-2022 Thana- JAHANABAD District- Jehanabad

Sudarshan Paswan S/O Vakil Paswan Resident of village- Dakshini Daulatpur,
P.S.- Jehanabad, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-11-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Jehanabad P.S. Case No. 427 of 2022 registered for the offences
punishable under Sections 399, 402 of the Indian Penal Code
and 25(1-b)a, 26 and 35 of the Arms Act.

As per the prosecution, the informant along with other
police personnel acting upon a secret information apprehended
this petitioner along with two co-accused persons and upon
making search from the possession of this petitioner a mobile
phone was recovered and from the possession of two co-accused



persons two live cartridges and a mobile phone were recovered.

The main submissions advanced by learned counsel Mr. Surendra Kumar Mishra appearing for the petitioner are that as per the prosecution only one mobile phone is stated to have been recovered from the possession of this petitioner and the said mobile phone is petitioner's own property and except this any other incriminating material was not recovered from his possession and he has clean antecedent and has been languishing in jail since 02.06.2022.

Learned APP Mr. Ajay Kumar Jha appearing for the State has opposed the bail prayer and submitted that the petitioner was apprehended along with the co-accused persons while they were making preparation to commit Dacoity and from the possession of co-accused persons two cartridges and mobile phones were recovered.

In view of above submissions and considering the petitioner's clean antecedent and also the fact that as per the prosecution only one mobile phone is stated to have been recovered from the possession of this petitioner and he is stated to be a young person, in the opinion of this Court the petitioner deserves to a lenient approach of this Court. Accordingly, let the petitioner be enlarged on bail on furnishing bail bond of



Rs.10,000/-(Ten Thousand) with two sureties of the like amount
each to the satisfaction of the Court concerned in connection
with Jehanabad P.S. Case No. 427 of 2022.

(Shailendra Singh, J.)

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