

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59011 of 2021

Arising Out of PS. Case No.-45 Year-2021 Thana- BARURAJ District- Muzaffarpur

Vikash Kumar Son of Ushahar Paswan @ Kushar Paswan Resident of Village
- Rajwara, P.S.- Sahebganj, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 59092 of 2021

Arising Out of PS. Case No.-45 Year-2021 Thana- BARURAJ District- Muzaffarpur

Ashok Kumar Paswan Son Of Jodha Paswan Resident Of Village- Rajwara,
P.S.- Shebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 59011 of 2021)

For the Petitioner/s : Mr.Sunil Kumar Pandey

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

(In CRIMINAL MISCELLANEOUS No. 59092 of 2021)

For the Petitioner/s : Mr.Sunil Kumar Pandey

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-04-2022 Let the defects, if any, be removed within four
weeks from today.

Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners seek bail in a case registered in connection
with Baruraj P.S.Case No. 45 of 2021 for the offences



punishable under Sections 399 and 402 of the Indian Penal Code and section 25(1-b)A, 26 and 35 of the Arms Act.

As per the prosecution case, it is alleged that the police on secret information apprehended the petitioners and other various accused persons. From possession of petitioner, in Cr. Misc. No.59011 of 2021, one live cartridge of 315 has been recovered so far the petitioner in Cr. Misc. No.59092 of 2021 is concerned, one loaded country made pistol has been shown to be recovered.

Learned counsel for the petitioners submits that both the petitioners have clean antecedent and they are in custody since 22.03.2021. It is further submitted that investigation has already concluded and the charge sheet has already been submitted and there is no chance of their absconding and tempering with the evidence

The learned A.P.P opposed the prayer for bail of both the petitioners.

Having heard the rival contentions of the parties and taking into consideration the fact that both these petitioners having no criminal antecedent and are in custody since 22.03.2021 and moreover, the investigation has already been completed, let the petitioners, above named, be released on bail



on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st class, Muzaffarpur in connection with Baruraj P.S.Case No. 45 of 2021, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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