

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63157 of 2021

Arising Out of PS. Case No.-25 Year-2007 Thana- ADHAOURA District- Kaimur (Bhabua)

PARAS JEE @ RAJENDRA PASWAN @ UDAY JEE Son of Late
Chandradeep Paswan R/o Village- Simarahua, P.S.- Goh, District-
Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deovind Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-04-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Section 17 of the CLA Act, Section 25(1-B) A of the
Arms Act and Section 4 of the Explosive Substance Act.

The informant alleged in his F.I.R. that in course of
investigation regarding the death of one Lal Das Sah, it was found
that accused Sanjeet Sah was involved. It is further alleged that
on the basis of effort made by the police, the accused Sanjeet Sah
became ready to surrender before the police and the accordingly,
he surrendered before the police along with arms and
ammunition and made confessional statement on that basis this
petitioner has been made accused in this case.

Learned counsel for the petitioner submits that the



petitioner is innocent and has not committed any offence and he has falsely been implicated in this case. In fact, the petitioner has been made accused in this case merely on the basis of confessional statement of the co-accused, Sanjeet Sah and except confession, nothing is on record against the petitioner. Nothing incriminating nor arms or ammunition have been recovered from the possession of the petitioner. Moreover, the co-accused, namely, Ramesh Uraon @ Sanjay Uraon and Ors. have already been granted bail by a co-ordinate Bench of this Court vide order dated 19.12.2012 passed in Cr. Misc. No. 45231 of 2012. The petitioner is rotting in judicial custody since 09.07.021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries five more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Adhaura P.S. Case No. 25 of 2007 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient



reason, his/her bail bond shall be canceled by the Court below.

(2) 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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