

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63732 of 2021**

Arising Out of PS. Case No.-316 Year-2020 Thana- RAFIGANJ District- Aurangabad

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BINDESHWAR PASWAN @ BINDESHWARI PASWAN @ DUBEY JI @
DUBEY PASWAN S/o Jamuna Paswan R/o Village- Paharpura, P.S.- Goh,
District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar. Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 18-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 25(1-B)(a) and 26 of the Arms Act and sections 16, 18, 18(A), 18(B) and 20 of the UAPA Act

As per the prosecution case, on a raid being conducted three accused persons were caught and various incriminating articles were recovered from their possession. It is further stated that on inquiry the accused who were caught disclosed the names of the accused persons who had managed to escape which included the petitioner herein.

It is submitted by learned counsel for the petitioner that neither the petitioner was arrested at the spot nor any



incriminating article has been recovered from his possession. He has been falsely implicated in the case because of his antecedents. He is in custody since 16.1.2021 and chargesheet has been submitted in the case. Co-accused Laxman Yadav has been enlarged on bail vide order dated 17.12.2021 passed in Cr. Misc. No. 34506 of 2021.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner not having been arrested at the spot, having remained in custody for more than 1 year and grant of bail to the above named co-accused, the petitioner is directed to be enlarged on bail in connection with Rafiganj P.S. Case no. 316 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad.

(Partha Sarthy, J)

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