

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67052 of 2021

Arising Out of PS. Case No.-169 Year-2020 Thana- BIRPUR District- Begusarai

MANTU PASWAN @ MANTU KUMAR @ SANTOSH Son of Ram Balam
Paswan Resident of Village - Bajrangpuri, P.S.- Alamganj, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar Singh
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 12-05-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Birpur P.S. Case No. 169 of 2020, registered for the offences punishable under Sections 25(1-b)a/26/35 of the Arms Act.

As per prosecution case, four country made pistols and four live cartridges have been recovered from Goat Farm of co accused Anil Mahto.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He submits that from perusal of



the FIR and seizure list, it appears that nothing has been recovered from the conscious possession of the petitioner and the recovery has been made from the goat farm of Anil Mahto who is owner of the goat farm. He further submits that similarly situated co-accused persons, namely, Om Prakash has been granted bail vide order dated 03.03.2022 passed in Cr. Misc. No. 41779 of 2021 and Anil Kumar Mahto has been granted bail vide order dated 07.02.2022 passed in Cr. Misc. No.49666 of 2021 and the police after investigation submitted a chargesheet against the petitioner and the petitioner is in custody since 12.12.2020.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioner, above named, 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 Smt. Meena Kumari, Sub Judge-VI-cum-A.C.J.M.-VI, Begusarai, in connection with Birpur P.S. Case No. 169 of 2020, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

3. 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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