

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68898 of 2021

Arising Out of PS. Case No.-131 Year-2021 Thana- SHANKARPUR District- Madhepura

RANJEET PASWAN Son of Bharav Paswan Resident of Village - Naya
Nager Morkahi, Ward No.- 10, P.S.- Sankerpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-05-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 31.08.2021, seeks
regular bail in connection with Shankerpur P.S. Case No. 131 of
2021 District- Madhepura registered for offences punishable
under Sections 414 of the Indian Penal Code and Section 25(1-
b)a/26/35 of the Arms Act.

Prosecution story in brief is that in course of
patrolling, the S.H.O. of Shankerpur Police Station had
apprehended two persons who were found on a motorcycle
bearing Registration No. BR 50R 7609. The details of Engine
No. etc. have been given in the FIR and the seizure list. One



loaded pistol and three live cartridges were recovered from the possession of co-accused Jitendra Sardar.

Learned counsel appearing on behalf of the petitioner submits that petitioner was riding the motorcycle and the recovery was made from the co-accused Jitendra Sardar, who was the pillion rider. He further submits that the co-accused Jitendra Sardar is the co-villager and the petitioner was not aware of the fact that he was in possession of some illegal arms. Nothing has been recovered from the possession of the petitioner. Petitioner has no criminal antecedent and he is in custody since 31.08.2021. Petitioner has falsely been implicated and, therefore, he deserves to be released on bail.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner.

Considering the accusation made against the petitioner in the FIR it appears that the alleged recovery of illicit arms and cartridges has been made from co-accused Jitendra Sardar, who was the pillion rider, without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief



Judicial Magistrate-I, Madhepura, District-Madhepura in connection with Shankerpur P.S. Case No. 131 of 2021 District-Madhepura subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(v) The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will loose its force automatically.

(Purnendu Singh, J)

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