

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69010 of 2021

Arising Out of PS. Case No.-141 Year-2021 Thana- KHAGAUL District- Patna

SANJAY KUMAR PASWAN S/o Mahendra Paswan @ Chini Paswan R/o
village- Rampur Garikhana, P.S.- Khagaul, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binoy Kumar Sinha
For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-05-2022 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Khagaul P.S. Case No. 141/2021, registered for the offence punishable under Sections 25(1-b)a, 26 of the Arms Act.

The allegation is regarding the informant and other police personnel having apprehended the



petitioner while on patrolling duty and upon search, one loaded country made pistol was recovered from the possession of the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 30.7.2021. It is further submitted that the petitioner has been falsely implicated in the present case only on account of his bad antecedent, however, it is submitted that the petitioner is ready and willing to abide by such conditions as may be deemed fit and proper to be imposed by this Court for the purposes of grant of bail to the petitioner herein.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner is languishing in custody since



about nine months, though I deem it fit and proper to grant bail to the petitioner, however, subject to certain conditions.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Danapur, Patna in connection with Khagaul P.S. Case No. 141 of 2021.

It is further directed that the petitioner would mark his attendance before the Officer-in-Charge of the concerned police station on each Monday of the week at 10:00 am. and in the event of two consecutive defaults, the present privilege of regular bail, being granted to the petitioner herein, shall stand cancelled automatically.

(Mohit Kumar Shah, J)

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