

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13151 of 2023

Arising Out of PS. Case No.-659 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

Dharmendra Paswan Son Of Late Ramdeo Paswan @ Ramdev Paswan R/O
Village- Fardi, Post- Nonpur, P.S.- Teghra, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-06-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
29.10.2022 in connection with Town P.S. Case No. 659 of 2022,
F.I.R. dated 28.10.2022 for the offences punishable under
Sections 255, 260, 484, 420, 467, 468, 471, 120(B) of the Indian
Penal Code and Section 25(1-B)A, 25(IA), 26, 35 of the Arms
Act.

According to prosecution case, allegation against the
petitioner is that he was stopped by police at Patel Chowk while
he was coming a bag of black colour. He told to police that he is
security guard of Golden Security Guards Company, Varanasi
(U.P.) when police asked him to show his identity card and gun
then a two barrel small butt gun and two cartridges were



recovered from his bag. He also showed his license of the said gun. He also disclosed to police that one Abhishek Paswan of his village gave him the said gun and also license in lieu of Rs. One lakh but he cannot say from where he obtained the gun and license but he is working as security guard in said company on monthly pay of Rs.15000/- per month. It is further alleged that later on after verification it was found that said gun is illegal and also license of petitioner is forged one and petitioner was using illegal arms and ammunition with forged document.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not obtained any false and fabricate arms license and in fact the petitioner has purchased the gun in question from the Abhishek Paswan @ Chhotu and the said Abhishek Paswan @ Chhotu also provide the arms license to the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 29.10.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.



Considering the aforesaid facts and circumstances, 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 the learned Chief Judicial Magistrate, Begusarai in connection with Town P.S. Case No. 659 of 2022, 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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