

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33091 of 2023

Arising Out of PS. Case No.-56 Year-2021 Thana- PARAIYA District- Gaya

Deepak Rawani @ Ravindra Rawani @ Deepak Ramani @ Ravindra Ramani
@ Deepak @ Ravindra Ram S/o Late Dhupan Rawani @ Deepak Resident of
village-Budh Paraiya, P.S.-Paraiya, District-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate
For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-06-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

The petitioner seeks bail in connection with Paraiya
P.S. Case No. 56 of 2021 registered for the offence under
Sections 25(1-b)a and 26 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 28.06.2021.

The allegation against the petitioner is to have in
possession of one country made pistol and one live cartridge.

Learned counsel appearing on behalf of the petitioner



submitted that out of suspicion arises from criminal antecedents, as petitioner found involved in nine more criminal cases, the present false implication was raised against this petitioner where petitioner was shown in possession of one country-made pistol with one live cartridge. It is submitted that the petitioner was remanded in this case from Nardiganj P.S. Case No. 40 of 2021 on the basis of self-confession where apparently no recovery of firearm was made from conscious physical possession of this petitioner. It is pointed out that petitioner is in custody in present case for more than two years where even on conviction, maximum sentence would not be more than three years. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as no recovery of alleged firearms was made from conscious physical possession of this petitioner coupled with the fact that charge-sheet has been submitted, where petitioner is in custody since 28.06.2021, accordingly, the petitioner, above named, is directed to be released on bail in connection with



Paraiya P.S. Case No. 56 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Gaya/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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