

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38232 of 2023

Arising Out of PS. Case No.-28 Year-2023 Thana- ASHTHAWAN District- Nalanda

SAHEB KUMAR @ SAHEB PASWAN Son of Arjun Paswan Resident of
village - Dharhra, P.s. - Asthawan, Distt. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudish Kumar, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-07-2023 Heard learned counsel appearing on behalf of the
parties.

2. The petitioner seeks bail in connection with
Asthawan P.S. Case No.28 of 2023 registered for the offence
under Sections 399, 402 and 120B/34 of the Indian Penal Code
and Sections 25(1-b)A, 26 and 35 of the Arms Act.

3. The accused/petitioner is named in the F.I.R.
and is in custody since 04.02.2023.

4. The allegation against the petitioner is to be
involved in preparation of committing dacoity along with other
co-accused persons, where, other co-accused persons were
alleged to be found in possession of firearm and live cartridges.

5. Learned counsel appearing on behalf of the
petitioner submitted that name of the petitioner surfaced, in this
case, on the basis of disclosure made by apprehended co-



accused persons and as such, no incriminating materials recovered from his possession, as to connect him, *prima facie*, with present preparation of committing dacoity. While concluding the argument, it is submitted that investigation of this case is completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposing the prayer of bail.

7. Considering the facts and circumstances as mentioned above, as petitioner not apprehended on spot coupled with the fact that charge-sheet has already submitted, where, petitioner is in custody since 04.02.2023, let the petitioner, above named, is directed to be released on bail in connection with Asthawan P.S. Case No.28 of 2023, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bihar Sharif, Nalanda/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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