

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56483 of 2022

Arising Out of PS. Case No.-201 Year-2022 Thana- SHRIKRISHNAPURI District- Patna

PRASUN KUMAR CHANDRAVANSHI S/o Late Ram Babu Paswan @
Krishna Murari Singh R/o Mohalla- Math Laxmanpur, Koiri Tola, P.S.-
Alamganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 399 and 402 of the Indian
Penal Code and under Sections 25(1-b)a, 26, 35 of the Arms
Act.

Prosecution case, in brief, is that on 24.05.2022 at
about 07:25 PM, the informant received an information that
some persons are making plan for committing dacoity behind
A.N. College, and the informant proceeded towards there, and
saw that seven persons started to flee away, but they were
apprehended by the police. They disclosed their name as
mentioned in FIR, and on search from the possession of Anil



Kumar one country-made pistol and five cartridges, from Sonu Kumar a 24” Tapariya cutter machine, from Pankaj Kumar one pistol and two live cartridges, and from Prasun Kumar a pilas and screwdriver, were recovered.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case only on the basis of suspicion. He further submits that it appears from the F.I.R. as well as the seizure list that one screw driver and one pilas have been recovered from the possession of the petitioner, so no case is made out under the Arms Act against petitioner and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 25.05.2022.

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 Court below where the case is pending in connection with Sri Krishnapuri P.S. Case No. 201 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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