

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62453 of 2023

Arising Out of PS. Case No.-41 Year-2022 Thana- BELCHHI District- Patna

PARSANT PASWAN @ JHAMAN @ JHAMMAN PASWAN son of Jawahar
Paswan @ Javahar Paswan Village- Basanpur Ps- Rahua Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suraj Kumar, Adv

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 16-10-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner is apprehending his arrest in
connection with Belchhi P.S. Case No. 41 of 2022 registered for
the offence punishable under Sections 25(1-B)a, 26 and 35 of
the Arms Act.

3. The informant has received intimation regarding
some antisocial elements blocking the road with firearms. One
co-accused namely, Siya Ram Paswan, has been apprehended,
and one loaded country made pistol and live cartridge have been
recovered.

4. It is submitted by learned counsel for the
petitioners that other than statement of apprehended, Siya Ram
Paswan, there is no material to suggest petitioner's presence at



the place of occurrence, let alone his participation in the offence. One case arising out of Belchhi P.S. Case No. 82 of 2019 is still pending against the petitioner and the same has formed the basis of his name being dragged in this case without any basis. None has sustained any firearm injury.

5. Learned APP for the State has opposed the prayer for pre-arrest bail.

6. Considering the rival submissions, the fact that petitioner's implication is based on statement of co-accused in custody as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel.

7. Prayer for bail of the petitioner is allowed.

8. Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, 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 Sub-Divisional Judicial Magistrate, Barh, Patna in connection with Belchhi P.S. Case No. 41 of 2022, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:



(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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