

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55425 of 2022

Arising Out of PS. Case No.-92 Year-2022 Thana- BARIYARPUR District- Munger

SANTOSH PASWAN Son of Raghunath Paswan R/V- Ghorghat, P.S-
Bariarpur, Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar Verma, Advocate

For the Opposite Party/s : Mr.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s), if any, as pointed out by the office,
be removed within four weeks.

The petitioner is apprehending arrest in connection
with Bariarpur P.S. Case No. 92 of 2022 under section 25(1-
b)a/26(i)(ii) & 27 of the Arms Act.

As per the prosecution story, the police got
information that a boy waving a small weapon in his hand and
firing at the people of his house but the police gave a chase.
However, he managed to escape. On interrogation, the name of
this petitioner cropped up who was creating havoc in the area.

Further it came to notice that he had quarrel with his
elder brother Anant Arya and thereafter, he resorted to firing.



Learned counsel for the petitioner submits that his elder brother is a R.P.F. Inspector and in collusion with his police friend, this false case. Further submission is that he is ready to abide by all the terms and conditions, if granted the privilege of anticipatory bail.

The learned APP on the other hand opposes the prayer.

Taking into account the kind of allegation that has come against him as also the fact that he do not have any criminal antecedent and ultimately he will be facing the trial, this Court is inclined to grant him the privilege of anticipatory bail with conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iv) the petitioner shall appear before the concerned



police station every fortnight for next six months to mark his attendance;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

Let the petitioner be released on bail, in the event of his arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Munger, in connection with Bariarpur P.S. Case No. 92 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Ravi/Ajay Singh

U		T	
---	--	---	--

