

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61507 of 2022**

Arising Out of PS. Case No.-285 Year-2011 Thana- ARA NAWADA District- Bhojpur

DEEPAK PASWAN Son of Nagina Paswan Resident of Village- peo quarter
(mission), P.S.- Ara Nawada, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 20-02-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Ara
Nawada P.S. Case No. 285 of 2011 registered for the offence
under Sections 399, 402 and 414 of the Indian Penal Code and
Sections 25(1-AA), 26 and 35 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 04.07.2022.

The allegation against the petitioner is to involved in
preparation of dacoity along with other co-accused, where,
recovery of firearms along with live cartridges were made from
the possession of apprehended co-accused persons.



Learned counsel appearing on behalf of the petitioner submitted that petitioner was not apprehended on the spot and his name surfaced on the basis of confessional statement as made by other co-accused persons, namely, Bablu Yadav and Pappu Khan. It is submitted that recovery of alleged firearms was not made from the physical possession of this petitioner. It is also pointed out that petitioner found involved in two other criminal cases, where, he is on bail. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

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

Considering the facts and circumstances as mentioned above, as petitioner not appears to apprehended on spot, where, no incriminating material recovered/surfaced from conscious possession of this petitioner, coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Ara Nawada P.S. Case No. 285 of 2011 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM – VII, Bhojpur



at Ara/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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