

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8655 of 2024

Arising Out of PS. Case No.-600 Year-2023 Thana- LAKHISARAI District- Lakhisarai

Kundan Paswan S/O- Late Indrajeet Paswan @ Inerjeet Paswan R/O- Village- Kabaiya Ward No.- 3, P.S.- Kabaiya, Dist.- Lakhisarai.

... .. Petitioner/S

Versus

The State of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-02-2024

1. Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing on behalf of the State.

2. The accused/petitioner is named in F.I.R. and apprehending his arrest in connection with Lakhisarai (Kabaiya) P.S. Case No. 600/2023 registered for the offences punishable under Sections 401 of the Indian Penal Code, Section 25(1-b)A/(25-AC)/26(i)/35 of the Arms Act and Sections 4 and 5 of the Explosive Substances Act.

3. The allegation against this petitioner is to have in possession of two country made pistol and one county made grenade alongwith other co-accused persons.

4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner was falsely implicated with present case. It is further submitted that save and except confessional statement of co-accused Govinda, nothing appears



incriminating against this petitioner as there is no recovery of firearms or incriminating substances from the possession of petitioner. While concluding the argument, it is submitted that petitioner found involved in two more criminal cases, where he is on bail, where none of the case is related with Arms Act.

5. Learned APP opposes the prayer of bail.

6. Considering the aforesaid facts and circumstances as there is no recovery of firearms from the possession of petitioner, where his name appears on the basis of confessional statement of the co-accused, accordingly, the above named petitioner, in the event of his arrest or surrender before the learned trial Court within a period of four weeks, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai/concerned Court, where the case is pending in connection with Lakhisarai (Kabaiya) P.S. Case No. 600 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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