

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18898 of 2024

Arising Out of PS. Case No.-291 Year-1992 Thana- BUXAR District- Buxar

Krishna Pasi @ Kishun Pasi @ Shri Kishun Pasi @ Shri Krishna Ram Son of
Ram Brikasha Pasi Resident of Vill.-Orayaoh, P.S.-Kudra, Distt.-
Kaimur(Bhabhua)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Digvijay Kumar Ojha, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

5 20-08-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Buxar (Town) P.S. Case No. 291 of 1992 dated 06.09.1992 registered for the offences punishable u/ss 25(1B), 26 and 35 of the Arms Act.

3. As per the prosecution case, on secret information, some miscreants were preparing to commit crime in the house of Dev Narayan Pathak. A raid was conducted by the informant and the police personnel and they reached the place of occurrence. On search, four persons were apprehended and they disclosed their name as Satyendra Kumar Pathak, Sripat Pasi, Srikishun Pasi (S/o- Sheomurat Pasi) and Shri Kishun Pasi



(petitioner) (S/o-Rambriksh Pasi). The police party recovered a bag from which 4 cartridges of 12 bore and 2 live cartridges of .303 were recovered.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that it is case of first misuse of the privilege of bail of the petitioner. Learned counsel has further submitted that from perusal of the F.I.R., it is quite clear that this case is of the year 1992 and earlier the petitioner was surrendered before the learned court below and his bail was granted but due to advocate clerk's mistake, his pairvi was not made properly due to which the process of under Section 83 of the Cr.P.C. was issued on 13.02.2019 against the petitioner. Learned counsel has further submitted that the petitioner has no concern with the alleged offence. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 06.11.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond



of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Buxar in connection with Buxar (Town) P.S. Case No. 291 of 1992 with the following conditions :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

(ii) Learned trial court is directed to expedite the trial and conclude the same at the earliest.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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