

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41420 of 2024

Arising Out of PS. Case No.-47 Year-2024 Thana- SARAI RANJAN District- Samastipur

Biru Paswan Son Of Birju Paswan @ Virju Paswan Village- Chakbaladhari
Ps- Sadar, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 21-10-2024 Heard Ms. Mili Kumari, learned counsel for the
petitioner and the State.

2. The petitioner is in custody in connection with Sarairanjan P.S. Case No. 47 of 2024 for the offence under Sections 399, 402, 414 of the Indian Penal Code and Sections 25(1-B)A, 26, 35 of the Arms Act lodged on 02.04.2024 by the informant, Ravikant Kumar.

3. As per the prosecution story, the informant on secret information that the accused persons have gathered to commit some offence, reached the place and apprehended the petitioner, from him there is/are recovery of a pistol, three live cartridges and a motorcycle, as no document was produced, he was arrested and FIR was lodged.

4. Learned counsel for the petitioner submits only



because of criminal antecedents, he is being implicated by the police again and again. He is 22 years of age and if granted relief, undertakes to diligently appear in the trial. The last submission is that he is in custody since 03.04.2024 (para-5 of the petition).

5. Learned APP opposes the prayer for bail submitting that upon search there is/are recovery of arms/cartridges.

6. Considering the submissions put forwarded for the parties as also period of custody of the petitioner, he is only 22 years of age and has undertaken to diligently appear in the trial, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with Sarairanjan P.S. Case No. 47 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his bona every month for next one year fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and the failure to do so for two



consecutive dates without plausible reason will entail
cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned
police station every fortnight for next one year to mark his
attendance;

(iv) 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 bail bond.

(v) 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.

(Rajiv Roy, J)

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