

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42122 of 2024

Arising Out of PS. Case No.-28 Year-2024 Thana- MANSURCHAK District- Begusarai

VISHAL PASWAN @ VISHAL KUMAR SON OF RASINDRA PASWAN
@ LAKHINDAR PASWAN VILLAGE- GOVINDPUR TOLA, BAJIPUR
(WARDNO. 04), P.S.- MANSURCHAK, DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-07-2024 Heard the parties.

2. The petitioner is apprehending arrest in connection with Mansurchak P.S. Case No. 28 of 2024 instituted under Sections 25(1-B) a/26 of the Arms Act lodged on 25.3.2024 by the informant, Pinki Kumari.

3. As per the prosecution story, the informant alleged that in course of routine checking, a motorcycle was intercepted though sitting behind managed to escaped while the motorcycle rider Satish Kumar was apprehended and there was recovery of country made pistol from him. He gave the name of amongst other this petitioner. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he is a student, 19 years of age, no role to play in the matter, do not



have criminal antecedent, there is no recovery from him and only due to confession of Satish Kumar before the police, he has been implicated.

5. Learned APP opposes the prayer submitting that the the person apprehended gave his name.

7. Taking into account the aforesaid submission as also that he is young boy of 19 years and do not have criminal antecedent and his name has come in the confessional statement, this Court is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court 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 the like amount each in connection with Mansurchak P.S. Case No. 28 of 2024 to the satisfaction of learned Additional Sessions Judge-VI cum Special Judge of POCSO Act, Begusarai subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

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



(ii) 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;

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

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

(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 the bail bonds;

(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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