

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44565 of 2024

Arising Out of PS. Case No.-80 Year-2024 Thana- SINDHIYA District- Samastipur

Rudal Paswan@ Khadal Paswan S/O Ramu Paswan R/O Vill- Bangar Hatta,
Ward No. 10, P.S. - Singhia, Dist - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rana Sanjay, Adv.

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 03-07-2024 Heard learned counsel appearing on behalf of the
petitioner and the learned APP for the State.

2. The petitioner seeks regular bail, who is in custody since 15.04.2024 in connection with Singhia P.S. Case No. 80 of 2024 registered for the offence punishable under Sections 25(1-B)1, 26 and 35 of the Arms Act.

3. The prosecution case alleges that on receipt of an information that some pictures went viral wherein one Monu Kumar Singh waving the pistol in his hand. Police on the basis of such information apprehended co-accused Monu Kumar Singh who disclosed the name of the petitioner and one another as his accomplice.

4. Learned counsel appearing on behalf of the petitioner contended that admittedly even in the viral picture it is Monu Kumar Singh who was waving the pistol in his hand so



far the petitioner is concerned save and except the confessional statement which suggests the petitioner as one of the accomplices there is no material. However even in the course of investigation when the police conducted raid no incriminating material except two mobiles have been recovered. It is lastly contended that the petitioner is in custody since 15.04.2024 and the investigation of the crime is complete.

5. On the other hand, learned APP for the State vehemently opposes the bail application of the petitioner.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of the allegation and the fact that the petitioner is a man of fair antecedent and he is in custody since 15.04.2024, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Rosara, Samastipur in connection with Singhia P.S. Case No. 80 of 2024, , subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.



(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

7. The application stands allowed.

(Harish Kumar, J)

annpurna/-

U		T	
---	--	---	--

