

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51767 of 2024

Arising Out of PS. Case No.-26 Year-2024 Thana- Gaura P.S. District- Saran

Vikas Paswan @ Vikash Paswan Son of Birendra Paswan Resident of Village
- Narharpur Chamari, P.S.- Gaura, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh No. I, Adv.
For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Gaura P.S. Case No. 26 of 2024 registered for the alleged offences under Section 25(1-B)a/26, 35 of the Arms Act.

03. As per prosecution case, during regular checking of vehicles, one black colour motorcycle was intercepted and its rider was apprehended and from its possession loaded country made *katta* with one live cartridge was recovered. The name of the petitioner transpired in this case during investigation for being involved in the said occurrence.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case.

The petitioner has not been named in the F.I.R. and as the co-accused Vikesh Ram made a confessional statement about involvement of the petitioner along with apprehended co-accused in some other case, the name of the petitioner is inserted in the present case as well. No offences under Arms Act is made out against the petitioner and allegation is not supported by any substantive material. Merely on suspicion, the petitioner is made accused in this case.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the completely vague nature of allegation against the petitioner without any substantive material and further considering possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned C.J.M., Chapra in connection with Gaura P.S. Case No. 26 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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