

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67365 of 2024

Arising Out of PS. Case No.-31 Year-2024 Thana- ARA MUFFSIL District- Bhojpur

Bijendra Paswan @ Bijendra Ram S/O Late Shivmuni Paswan @ Sheomuni
Ram Resident of village- Jagbaliya, P.S- Ara Muffasil, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-09-2024 Heard Mr. Raju Kumar Singh, learned counsel for
the petitioner and Mr. Nirmal Kumar Sinha, learned A.P.P. for
the State.

2. The petitioner seeks bail, who is in custody since
31.01.2024, in connection with Muffasil P.S. Case No. 31 of
2024, FIR dated 31.01.2024 registered for the offence under
Sections 25(1-b)a and 26 of the Arms Act.

3. As per the prosecution case, one country made
pistol and three live cartridges have been recovered from the
possession of the petitioner.

4. Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and he has falsely been implicated in this case. He
further submits that as per the allegation in the FIR one country



made pistol and three live cartridges were recovered from the possession of the petitioner. He further submits that the recovery has not been made in accordance with the procedure prescribed under the Cr.P.C. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 31.01.2024.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 7th, Ara in connection with Muffasil P.S. Case No. 31 of 2024 with the following conditions:-

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(ii) If the petitioner tampers with the evidence or



the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that 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 step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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