

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78407 of 2024

Arising Out of PS. Case No.-48 Year-2024 Thana- DELHA District- Gaya

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Aman Paswan @ Aman Kumar Son of Jai Prakash Paswan Resident of
Mohalla - Powerganj, Kumhar Toli, Bairagi, P.S. - Delha, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Priya Ranjan, Adv.

For the Opposite Party/s : Mr. Anant Kumar 1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 13-11-2024 Heard Mr. Priya Ranjan, learned counsel for the

petitioner and the State.

2. The petitioner is in custody in connection with
Delha P.S. Case No. 48 of 2024 for the offence punishable under
sections 25(1-b)a, 26 and 35 of the Arms Act lodged on
20.02.2024 by the informant, Pappu Kumar Choudhary.

3. As per the prosecution story, the informant alleged
that on information, it raided a place. Though some of the
accused managed to escape, Raghu Kumar and Amit Das were
apprehended and upon search, there is recovery of country made
pistol from Raghu Kumar and live cartridge from Amit, they
disclosed the name of the petitioner as the person who escaped,
which led to his implication.

4. Learned counsel for the petitioner submits that only



because he has number of criminal cases, lodged by the police due to enmity, in this case also, he has been dragged. Nothing has been recovered from his conscious possession and he is in custody since 29.07.2024 (para 10 of the petition).

5. Learned APP opposes the prayer for bail submitting that the apprehended persons named him and he has criminal antecedent.

6. Considering the submissions put forward by the parties as also the fact that nothing has been recovered from his conscious possession, his name has come in the confession of the accused apprehended, is in custody since 29.07.2024 and ultimately will be facing 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) each with two sureties of like amount each to the satisfaction of learned ACJM 1st, Gaya in connection with Delha P.S. Case No. 48 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/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 month for two years 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 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)

Vijay Singh/-

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