

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82254 of 2024

Arising Out of PS. Case No.-496 Year-2024 Thana- ARA NAGAR District- Bhojpur

Shiv Janam Paswan @ Shivjanm @ Silam Paswan @ Chilam Paswan @
Chilam Son of Late Jaj Paswan @ Jai Ram Village- Gausganj P.S- Ara Town
District -Bhojpur at ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 25(1-b)a, 26, 35 of the Arms Act.

3. Allegedly, on search, two pistols and 10 live cartridges have been recovered from the possession of the apprehended persons, namely, Ranjit Kumar and Saroj Kumar.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and



based on concocted facts. He was not apprehended on the spot. He has no concern either with the seized arms and ammunition or any illegal trade. No arms or any incriminating article has been recovered from the conscious physical possession of the petitioner or from his house. There is nothing on record to indicate the complicity of the petitioner barring the confessional statement of the apprehended person which has no evidentiary value in the eye of law. Learned counsel further submits that petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, since petitioner has no criminal antecedent and no any incriminating article has been recovered from his conscious physical possession, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Ara Town P.S. Case No. 496 of 2024, subject to the condition as laid down under



Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita,
2023.

(Anjani Kumar Sharan, J)

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