

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19206 of 2025

Arising Out of PS. Case No.-470 Year-2023 Thana- BARUN District- Aurangabad

Santosh Paswan S/o Pashuram Paswan @ Parshuram Paswan Resident of
Village- Jaisidih, P.S.- Piro, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Sharda Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 25-06-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Barun
P.S. Case No. 470 of 2023 instituted for the offence under
Sections 25(1-b)a & 26 of the Arms Act.

3. The prosecution case is that Rajesh Kumar, a field
officer with Chaitanya Indica Microfinance, was robbed of Rs.
1,88,900/- by four persons on two motorcycles near Satuahi
village. One of the accused got injured during the incident, and
while searching the area, police recovered a country-made pistol
and a brass bullet.

4. It has been submitted on behalf of the petitioner
that the petitioner is remanded in this case on 21-12-2024 from



Nokha PS Case No. 241 of 2023. Petitioner bears six criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that petitioner has no concern with the recovered arms as the same was recovered from an open place, which is accessible to one and all. Learned counsel next submits that police after investigation has already submitted charge sheet in this case. There is no compliance of Section 103 of the BNSS, 2023. Except confessional statement of the petitioner, there is nothing against the petitioner.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, manner of petitioner's implication and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court



in connection with Barun P.S. Case No. 470 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses of the case by intimidating/pressurizing the witnesses, during the investigation or trial, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(IV) If the petitioner is found indulged in any criminal activity or commission of any crime after being released on bail, the prosecution will be at liberty to file an appropriate application before the court below for cancellation of his bail.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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