

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42550 of 2015

Arising Out of PS.Case No. -455 Year- 2014 Thana -SUPAUL District- SUPAUL

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PAWAN PASWAN, S/O LATE RAMCHARAN PASWAN, RESIDENT
OF VILLAGE NARAIYA, POLICE STATION & DISTRICT SUPAUL.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. U.S.P.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 08-10-2015 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Supaul P.S. Case No. 455 of 2014 registered under Sections
307/34 of the Indian Penal Code and Section 27 of the Arms Act.

The accusation is that when informant, Jagarnath
Yadav, reached at the door of his brother, Tejnarain Yadav then
saw that Bechan Yadav assaulted his brother. When informant
made protest then on the order of Shiv Kumar Yadv, Vijay Kumar
Yadav shot fire causing injury at the chest of the informant. At
that time, petitioner was present there armed with weapons.

Learned counsel for the petitioner submits that it
would appear from the F.I.R. that Vijay Kumar Singh shot fire at

the chest of the informant on the instruction of Shiv Kumar Yadav and the petitioner is only present there, hence, there is no overt act against him. It is further submitted that, in fact, there was dispute for sharing of the cattle due to that reason this petitioner has falsely been implicated in this case. It is further submitted that co-accused, Shiv Kumar Yadav, has already been granted privilege of anticipatory bail by a Bench of this Court vide order dated 21.07.2015 passed in Criminal Misc. No. 26858 of 2015.

Considering the aforesaid submissions, 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 four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul, in connection with Supaul P.S. Case No. 455 of 2014, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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