

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61591 of 2017

Arising Out of PS. Case No.-156 Year-2012 Thana- CHATOUNI District- East Champaran

Pappu Paswan @ Purshottam Rajhans S/o Brahmdeo Ram @ Baldeo Ram,
R/o Village- Bara Bariyarpur, P.S.- Chhatauni, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr. SMT. VEENA KUMARI JAISWAL

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-12-2017 Heard learned Counsels for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 307 of the Indian Penal Code and Sections 3/4 of the Explosive Substances Act.

The informant Ramadhar Ram has alleged in the FIR that on 28.07.2012, extortion demand of Rs. 10,00,000/- was made by the criminals from the family members of the informant for which Chhatauni P.S. Case No.147 of 2012 was registered and subsequently on 15.08.2012 the informant was given threat through mobile phone. The petitioner Pappu Paswan used to visit the house of the informant. Earlier extortion demand of Rs.50,000/- was made when the son of the



informant agreed to make payment of Rs.5000/-, but it was not accepted. On 16.08.2012, at 9.30 PM, bomb was hurled on the house of the informant in order to kill him, after which the accused persons escaped from the scene. The petitioner was identified by the daughter of the informant Rajani Kumari. It is further alleged that the brother of the petitioner was killed since he was involved in the criminal activities and his second brother is also a criminal.

It is submitted by learned counsel for the petitioner that only on suspicion the accusation has been levelled. On conclusion of investigation, the petitioner was not sent up for trial, but differing with the final form, the cognizance has been taken by the learned CJM, Motihari, under Section 307 of the IPC and 3/4 of the Explosive Substances Act. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Considering the fact that on conclusion of investigation, the petitioner was not sent up for trial, but differing with the final form cognizance has been taken in 2017 coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of



arrest or surrender before the learned Court below within a period of 12 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 CJM, East Champaran, Motihari, in connection with Chhatauni P.S. Case No.156 of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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