

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.336 of 2017

Arising Out of PS.Case No. -66 Year- 2005 Thana -DHANARUA District- PATNA

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Prahlad Paswan, S/o Late Chhedan Paswan, Resident of Village- Sewai,
P.S.- Dhanarua, Dist.- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Mahendra Thakur, Advocate
Mr. Vijay Kumar, Advocate

For the Opposite Party : Dr. Rabindra Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 30-01-2017 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in a case instituted for the
offence under Section 302/34 of the Indian Penal Code and
Section 27 of Arms Act.

It is alleged against this petitioner that he caught
hold the son of the informant Nagendra Yadav and co-accused
Ashutosh Paswan fired shot on son of the informant, causing gun
shot injury to him, who later on succumbed to the injury.

Counsel for the petitioner has submitted that co-
accused Ashutosh Paswan has been granted bail by Co-ordinate
Bench of this Court vide Cr. Misc. No. 11763 of 2011 dated
25.05.2011. The police after investigation, submitted final form



against this petitioner but later on cognizance has been taken by learned Magistrate on the basis of material available in the case diary.

There is no allegation of any overt act against this petitioner. It is alleged that merely he caught son of the informant. There is specific allegation against co-accused Ashutosh Paswan of causing firearm injury, who has already been granted bail by Co-ordinate Bench of this Court. Petitioner is said to be in custody since 06.09.2016.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Masaurhi, Patna, in connection with Dhanarua P.S. Case No. 66 of 2005, subject to the condition that both the bailors will be the close relative of the petitioner.

(Sanjay Priya, J.)

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