

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45370 of 2018

Arising Out of PS. Case No.-17 Year-2018 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Baidhnath Paswan, S/o Late Mahadeo Paswan, R/o Kanhauli Khadi Bhandar,
P.S.- Mithanpura, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vandana Singh

For the Opposite Party/s : Mr. Anil Kumar Singh 1

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 14-08-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 16.01.2018 in connection with Muzaffarpur (Town) P.S. Case No. 17 of 2018, for the offence registered under Sections 302/34, 120(b) of the I.P.C., and 25(1-b)A, 26, 35, 27 of the Arms Act.

Learned counsel for the petitioner submits that though, one loaded pistol and one live cartridge was recovered from possession of the petitioner on the date of arrest from which the deceased was shot and died but there is no material to connect the petitioner with the present case. It is further submitted that the petitioner is not named in the FIR, save and except the confessional statement made before the police by co-



accused persons which has no evidentiary value. There is nothing on record, which can lead to the prosecution of the petitioner and his consequent conviction.

Learned counsel for the petitioner submits that similarly situated co-accused persons namely Vicky Kumar and Ranjeet Paswan have been extended the privilege of bail by a coordinate Bench of this court in Cr. Misc. No. 33737 of 2018 and Cr. Misc. No. 39431 of 2018 vide order dated 23.07.2018 respectively.

In view of the aforementioned 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 Chief Judicial Magistrate, Muzaffarpur, in connection with Muzaffarpur (Town) P.S. Case No. 17 of 2018.

(Anjana Mishra, J)

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