

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66631 of 2018

Arising Out of PS. Case No.-51 Year-2018 Thana- BARHARA District- Bhojpur

BIRENDRA PASWAN @ PINGAI PASWAN @ PENGAI PASWAN S/o Late
Basisth Paswan, Village+ P.O.-Barhara, District-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Nath Sinha, Advocate.

For the Opposite Party/s : Mr. Ganesh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 17-12-2018 Heard learned counsel for the petitioner and the
State.

The petitioner seeks bail in Barhara P.S. Case No.
51 of 2018 instituted for the offence under Section 307 of Indian
Penal Code and Section 27 of the Arms Act.

Counsel for the petitioner submits that First
Information Report has been lodged on 9.2.2018. The
occurrence is said to have taken place on 22.1.2018. There is no
eye witness of the case.

It is alleged in the written report that on 23.12.2017
election of ward was being held. The accused persons visited the
house of the informant to call him but he was not present. It is
further alleged that when informant was taking *Prasad* adjacent
to idol of '*Maa Sarswati*', petitioner fired on him from the back,



on account of which, he sustained injury.

Case diary has been received.

The injury report is available in the case diary wherein the Doctor has found one lacerated wound of entry over the back and opinion was kept reserved. The injury report shows that there was no repetition of blow.

Petitioner is in custody since 20.3.2018.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. 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, Ara, in connection with Barhara P.S. Case No. 51 of 2018, subject to the condition that both the bailors will be close relatives of the petitioner.

(Sanjay Priya, J)

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