

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35485 of 2018

Arising Out of PS.Case No. -23 Year- 2018 Thana -DANIYAWA District- PATNA

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1. Dayanand Paswan son of Late Ramashish Paswan, resident of Village-
Marwan, P.S.- Danyawan, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dayanand Paswan

For the Opposite Party/s : Mr Mukeshwar Dayal APP

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 28-06-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 147, 148, 149, 324, 307 of the Indian Penal Code and Section 30 (a) 37(b) of the Bihar Prohibition and Excise Act, 2016 and Sections 25 (1-b)a, 26/35, 27 of the Arms Act.

As per prosecution report, there was a free fight between two groups of the villagers and petitioner and three other accused persons were apprehended, while other accused persons managed to escape. From the search of the person of the apprehended accused person one country made pistol was recovered from the Devanand Paswan and one live cartridge from the possession of



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Chandan Paswan and empty cartridge, a live cartridge and 1.5 litre of liquor kept in the field were recovered.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized article or the place of recovery. He has been falsely implicated due to the dirty village politics. He has no criminal antecedent and has been languishing in custody since 03.03.2018

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge II-cum-Special Judge (Excise Act), Patna in connection with Danyawan P.S. Case No. 23 of 2018.

(Prakash Chandra Jaiswal, J)

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