

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16524 of 2019

Arising Out of PS. Case No.-13 Year-2014 Thana- MADANPUR District- Aurangabad

Birbal Paswan @ Birval Pasawan @ Bhim Paswan Son of Sita Ram Paswan
R/o village- Moharkarma, P.O.- Simri Dhamni, Simri, Nabinagar Road, P.S.-
Mali, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 22-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under Sections 147, 148, 149, 341, 323, 307, 353 and 124(A) of the Indian Penal Code, Section-27 of the Arms Act and Section-17 of the CLA Act.

The prosecution case, in short, is that the accused persons with 100 nexlite associates, started abusing and thereafter, made indiscriminate firing on the police party, as a result of which, police constables sustained injuries.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 11-12-2017.



Charge sheet in this case has already been submitted. The petitioner has been falsely implicated in the present case. In course of investigation, the name of the petitioner has transpired in this case. Except for this, there is no other substantive evidence to suggest the participation of the petitioner in the present case. It has further been submitted that the petitioner may be released after completion of two years in custody.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The petitioner has got criminal antecedent of 12 cases.

Considering the aforesaid facts and circumstances, it is directed that **after completion of two years in custody**, the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV, Aurangabad in connection with Sessions Trial No. 107 of 2018/304 of 2018 arising out of Madanpur P.S. Case No. 13 of 2014.

(Sudhir Singh, J)

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