

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17272 of 2019

Arising Out of PS. Case No.-301 Year-2018 Thana- KHAGAUL District- Patna

Sanjay Paswan, Son of Chini Paswan @ Mahendra Paswan, Resident of
Village- Gari Khana, P.S.- Khagaul, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 27-03-2019 Heard leaned counsel for the petitioner and
learned APP for the State.

The petitioner is languishing in custody since
05.11.2018 in a case registered for the offences punishable
under Section 302 of the Indian Penal Code and Section 27 of
the Arms Act.

The prosecution case as per the Ferdbeyan Vijendra
Prasad recorded by S.I., Rudal Thakur dated 29.10.2018 at
Garikhana Kant Road is to the effect that the informant received
an information that his brother has been shot at by some
unknown persons on the right side of his head. Thereafter, the



informant reached to the place of occurrence, and found that police has taken his brother to Danapur Hospital, where the doctor declared him dead. It is further alleged that the petitioner has been arrested merely on suspicion, but it appears from the impugned order that one Vandana Singh, who claims to be the employer of the victim saw four persons including the petitioner firing at the deceased.

It is submitted by learned counsel for the petitioner that admittedly, there is no eye witness of the alleged occurrence. It is further submitted that petitioner has been arrested merely on suspicion and he has not been put on T.I. Parade till date. A statement has been made in paragraph no. 3 of the petition that the petitioner is in one other case on which, he is on bail.

Learned APP for the State submits that the name of the petitioner sprang up during investigation on the statement of one Vandana Singh.

Considering the fact that the FIR does not suggest that the informant is the eye witness to the occurrence and investigation already being concluded, let the above named petitioner 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 **ACJM-V, Danapur, Patna** in



connection with **Khagaul P.S. Case No.301 of 2018.**

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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