

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18308 of 2019

Arising Out of PS. Case No.-160 Year-2012 Thana- PALIGANJ District- Patna

Surendra Paswan Son of Late Mahngu Paswan, Resident of Village-Ijarta (Izrata), P.S-Paliganj, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

4 06-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case in brief is that while the informant after taking meal were sitting, the accused persons including the petitioner came variously armed with weapons and fired upon the informant's husband, which led to his death.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 17-07-2018. Charge sheet has already been submitted. The petitioner has been falsely



implicated in the present case. As per FIR, the petitioner along with other accused namely Pradeep Paswan and Srikant Das is alleged to have fired upon the deceased. From perusal of the postmortem report, it is evident that the injuries were caused by hard and blunt substance. None of the injuries are said to have been caused by fire arms. The postmortem report does not support the allegation made in the FIR. The other co-accused with similar allegation has been granted bail vide Annexure-3 to the application.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, the petitioner named above is directed to 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 Sub Divisional Judicial Magistrate, Danapur, Patna in connection with Paliganj P.S. Case No. 160 of 2012.

(Sudhir Singh, J)

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