

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43996 of 2019

Arising Out of PS. Case No.-307 Year-2018 Thana- KOILWAR District- Bhojpur

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BISHWAJEET PASWAN Son of Sri Manoj Paswan Resident of Village - Shri
Tola, P.S.- Ara Nawada, Dist.- Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... Opposite Party

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Appearance :

For the Petitioner : Mr.Satyam Shivam Sundaram, Advocate

For the Opposite Party : Mr.Dr.Mrityunjaya Kr.Gautam, Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-09-2019 Heard learned counsel for the parties and perused the

case diary.

Petitioner is an accused in a case registered for the
offence punishable under sections 302/307 and other allied
sections of the Indian Penal Code and under section 27 of the
Arms Act.

It is alleged in the FIR that the accused persons
including the petitioner fired at the informant's son and his
friend, as a result of which his son died and his friend sustained
firearms injuries.

Learned counsel for the petitioner submits that the
petitioner has been made an accused only on suspicion and there
is no eye witness to the occurrence. The allegation is general
and omnibus. Petitioner is in custody since 13.8.2018 and
charge sheet has also been filed in the case, as such, there is no
chance of tempering with the evidence. Similarly situated co-



accused Arun Prasad and Doman Yadav have already been allowed bail by different benches of this Court vide orders dated 5.12.2018 and 8114 of 2019, passed in Cr.Mis.Nos. 72046/2018 & 8114/2019 respectively.

In view of the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, 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 the Chief Judicial Magistrate, Bhojpur at Ara in Koilwar Police Station Case No. 307 of 2018 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tempers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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