

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61881 of 2019**

Arising Out of PS. Case No.-135 Year-2019 Thana- KHIJARSARAI District- Gaya

Mahesh Paswan, Son of Late Gopal Paswan Resident of Village-Chiraili, P.S.-
Khizarsarai, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar

For the Opposite Party/s : Mr. Tarun Prasad Mandal

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 27-11-2019 Heard learned counsels for the petitioner and the
State.

The petitioner is languishing in custody since 09.07.2019 in a case registered for the offences punishable under Sections 341, 323, 436, 504 and 506/34 of the IPC.

The prosecution case is that on 26.05.2019 at 1.30 A.M., while the informant along with her family members was sleeping in her house, the informant heard some sound and he woke up and saw the petitioner, Mahesh Paswan setting the house of the informant on fire when the son of the informant caught hold of the petitioner, but he managed to flee away



causing injury to the son of the informant. It is further alleged that on 27.05.2019 at about 7.00 A.M., the petitioner and co-accused Vidyanand @ Bitu and 2-3 other co-accused persons came, abused the family members of the informant and threatened to kill them.

It is submitted by learned counsel for the petitioner that in fact on 26.05.2019 at about 10.30 P.M., the petitioner was assaulted at the hands of the informant's side for which the fardbeyan of the petitioner was recorded on 28.05.2019 but the FIR was registered on 10.07.2019 and thereafter, for the alleged occurrence of 26.05.2019, the present FIR has been registered on 28.05.2019. A statement has been made in paragraph no.3 of the petition that the petitioner is made accused in four other cases, in which he is on bail.

Learned APP submits that the petitioner is named in the FIR with specific accusation.

Considering the period under custody, investigation already being concluded and the fact that prima facie, it appears that fardbeyan of the petitioner was recorded at earlier point of time, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned



ACJM-IV, Gaya in connection with Khizarsarai P.S. Case No.
135 of 2019.

(Dinesh Kumar Singh, J)

Amrendra/-

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