

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64041 of 2019

Arising Out of PS. Case No.-182 Year-2019 Thana- RAJNAGAR District- Madhubani

MISHRI PASWAN, aged about 48 years, Male, Son of Bijli Paswan, Resident of Village - Belhwar Theka Harijan Tola, P.S.- Raj Nagar, Distt.- Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ratanakar Jha, Advocate.
For the Opposite Party : Mrs.Pushpa Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-11-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 395 and 397 of the IPC.

The prosecution story, in brief, is that while the informant was sleeping with his family after taking meal on 3-4.07.2019 in the midnight at about 12.35 P.M., five persons entered into his house and woke up the informant and said that they are men of administration and search is to be made because Ganja has been kept in the house of the informant. Thereafter, they took ornaments from the Almirah of the informant. They also assaulted the son-in-law of the informant. When nearby people assembled there, accused persons fled away from there. It is also alleged that near the house of the informant, Mishri



Paswan (petitioner) used to sell toddy where criminals used to come. Earlier Jhingur Paswan threatened his neighbour Narayan Choudhary to kill him. The informant raised suspicion against Mishri Paswan (petitioner) and Sikandar Paswan.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 05.07.2019. The petitioner has got no criminal antecedent. The petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The informant is an eye witness to the alleged occurrence. It is alleged that 10-12 persons committed dacoity in the house of the informant. The petitioner has not been named among the persons who committed dacoity. Later on, in the F.I.R. a suspicion has been raised by the informant that the said dacoity is said to have taken place at the instance of the petitioner and other accused persons. Except for this, there is no substantive evidence to suggest the implication of the petitioner in the present case. Other co-accused has been granted bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 61474 of 2019 under order dated 15.10.2019.

On behalf of the State, it is submitted that the



petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let 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 the learned A.C.J.M.- 1st, Madhubani, in connection with Raj Nagar P.S. Case No. 182 of 2019.

(Sudhir Singh, J)

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