

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82075 of 2019**

Arising Out of PS. Case No.-727 Year-2019 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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MAHESH PASWAN Son of Late Mahendra Paswan Resident of Village-
Raiyam, P.S.-Bhaira Asthan, District-Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Davendra Kumar Pandey
For the Opposite Party/s : Mr.Anil Kumar

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

3 17-12-2019 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection
with Kotwali (Barari) PS case no. 727 of 2019 instituted for the
offences punishable under Sections 224, 225, 384, 120B/34 of
Indian Penal Code and 7(a) of the Prevention of Corruption Act,
1988.

The allegation is regarding one convict having
escaped from custody while he was being treated in a hospital
for his ailment. It is alleged that eight accused persons including
the petitioner had taken bribe and had facilitated the convict to
flee away from police custody.

The learned counsel for the petitioner has



submitted that the said convict had been brought from the Camp Jail and the petitioner was posted as a constable at Hospital to guard the convicts brought from the Central Jail. It is further submitted that the petitioner is innocent, he is having a clean antecedent and is languishing in custody since 19.08.2019. It is further submitted that similarly situated co-accused person has already been granted bail by an order dated 13.12.2019 passed in Cr. Misc. no. 80350 of 2019.

The learned counsel for the Vigilance has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance, Bhagalpur in connection with Kotwali (Barari) PS case no. 727 of 2019.

(Mohit Kumar Shah, J)

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