

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 885 of 2020

Arising Out of PS. Case No.-464 Year-2019 Thana- MOHANIYA District- Kaimur (Bhabua)

Shree Bhagwan Paswan (M) aged about 46 years, S/O Late Kapil Paswan
R/O Bhatti, P.S. Mohania, Distt.- Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. R.S.Sahay, Adv.

For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 24-02-2020 Heard learned counsel for the parties.

The petitioner apprehends his arrest in Mohania P.S.

Case No. 464 of 2019 registered for the offence under Section
307 & other allied sections of the Indian Penal Code and
Section 27 of the Arms Act.

In the F.I.R., it is alleged that on the eve of puja,
loud music was being played and when the informant protested,
the accused persons, including petitioner, abused and started
assaulting him. It is further alleged that co-accused Rakesh
Paswan gave fire-arm injury to the informant in that scuffle.

It is submitted on behalf of petitioner that petitioner
has falsely been implicated in this case and he has committed no
offence. The allegations are general and omnibus. Specific
allegation of giving fire-arm injury is against co-accused Rakesh
Paswan. It is further submitted that the present case is counter



blast of Bhabua P.S. Case No. 34 of 2019. It is also submitted that co-accused namely Sudhir Paswan has already been granted bail by this Court, vide order dated 20-01-2020 passed in Cr.Misc. No. 383 of 2020. Petitioner has no criminal antecedent, as stated in paragraph – 3 of the petition.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of his arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhabua, Kaimur in connection with Mohania P.S. Case No. 464 of 2019 on the following conditions:

“(1) Petitioner shall cooperate 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 on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers 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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