

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11484 of 2020**

Arising Out of PS. Case No.-420 Year-2019 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Vicky Paswan S/o Late Vijay Paswan Resident of Village- Mohanpur, P.S.-
Muffasil, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sachin Kumar

For the Opposite Party/s : Mr.Jai Narain Thakur

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

2 26-06-2020 Heard learned counsel for the parties through video
conferencing.

The petitioner apprehends his arrest in Samastipur
Mufassil P.S. Case No. 420 of 2019 (G.R. No. 2183 of 2019)
registered for the offence under Sections 341/323/324/326/307/
120B of the Indian Penal Code and later on, Section 302 of the
Indian Penal Code was also added.

As per the First Information Report, the allegation
against the petitioner is that he was one of the conspirator, who
attacked on the informant's side, in which, one of the co-villager
of informant Rajesh died during course of treatment.

It is submitted on behalf of petitioner that petitioner is
innocent and has committed no offence. It is further submitted



that from perusal of F.I.R., it is evident that there is no allegation of overt act against petitioner. Only fact has come in the F.I.R. that petitioner was also involved in the conspiracy. It is also submitted that name of petitioner has come only on the basis of suspicion. Two co-accused have been granted anticipatory bail, whereas, one co-accused has been granted regular bail by the court below itself, which is evident from Annexure – 2 to the petition. Petitioner has got clean antecedent.

Considering the aforesaid facts and circumstances, the bail application is allowed.

In the event of arrest or surrender within a period of six weeks from today, let the above-named petitioner be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-V, Samastipur in connection with Samastipur Mufassil P.S. Case No. 420 of 2019 (G.R. No. 2183 of 2019), subject to condition, as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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