

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12862 of 2020

Arising Out of PS. Case No.-134 Year-2010 Thana- GRIYAK District- Nalanda

SACHO PASWAN @ SACHIT PASWAN, aged about 40 years, Male, Son of Chando Paswan, Resident of Village - Durgapur, P.S.- Giriak, District – Nalanda ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Pankaj Kumar, Adv.

For the Opposite Party : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 03-07-2020 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state through video conferencing.

The petitioner seeks pre-arrest bail in connection with Griak P.S. Case No. 134 of 2010, pending in the Court of the Chief Judicial Magistrate, Nalanda at Biharsharif, registered under Section 365 of the Indian Penal Code.

The accusation is that six persons, named in the first information report, including the petitioner, Sacho Paswan, came at the house of the informant, Mahendra Vishwakarma, and asked for repairing the hand-pump, thereafter, Ajit vishwakarma, along with Pravesh Paswan, son of Amrit Paswan, moved with the instruments, but, he did not return till late hour. On search, no trace was found of Ajit Vishwakarma. On the next morning, they informed that Ajit Vishwamarka had



gone in the night after maintaining the hand-pump

Submission is that other co-accused, Rajo Paswan, named in the first information report, has been acquitted after facing trial in S. Tr. No. 326 of 2011 on 22.04.2013 by the Court of the Sessions Judge, Nalanda at Biharsharif, and the petitioner has no criminal antecedent. Further, submission is that while the charge sheet had been submitted declaring the petitioner as absconder, but, the petitioner had no knowledge about the case.

Having regard to the facts and circumstances of the case, I am not inclined to grant the privilege of pre-arrest bail to the petitioner. The prayer for pre-arrest bail is **rejected**. The petitioner is directed to surrender before the Court below within four weeks and seek regular bail, which will be considered by the trial Court on its own merit without being prejudiced of this order.

(Rajendra Kumar Mishra, J)

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