

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19466 of 2020

Arising Out of PS. Case No.-150 Year-2019 Thana- MUSRIGHRARI District- Samastipur

Manjay Paswan @ Manjay Lal Paswan Son of Jugeshwar Paswan Resident of
Village - Chakhabib, Panchayat Bagi, P.S.- Musrigharari, Distt - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh, Adv

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 08-07-2020 Heard learned counsel for the petitioner and
learned APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Musrigharari P.S. Case No. 150 of 2019 registered under sections 307, 324 and 341 of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the FIR, it is stated that two accused persons including the petitioner herein came on a motorcycle and demanded some amount from the informant. It is thereafter stated that the petitioner fired from his pistol, and the bullet passed touching his temple as a result of which he fell down unconscious and injured. He was taken for treatment to Dr. R.R. Jha, Samastipur.

It is submitted by learned counsel for the petitioner



that the petitioner has been falsely implicated in the case. While the occurrence is stated to have taken place on 29.11.2019, information was given to the concerned police station one month later without any plausible explanation for the same. The petitioner is in judicial custody since 30.12.2019. It is further submitted that the petitioner was examined at a private clinic without any information having been given by either the family member or the treating doctor to the concerned police station.

The application for bail is opposed by learned APP for the State who submits that the petitioner is the main assailant and the reason for delay in lodging of the FIR was that the petitioner remained unconscious for a month. This statement is not supported from the records of the case.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the delay in lodging of the FIR together with the fact of the petitioner being in custody since 30.12.2019 and chargesheet having been submitted in the case, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Musrigharari P.S. Case No. 150 of 2019 on furnishing bail



bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties
of the like amount each to the satisfaction of the learned
Judicial Magistrate-1st Class, Samastipur.

(Partha Sarthy, J)

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