

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19069 of 2020

Arising Out of PS. Case No.-162 Year-2018 Thana- BODHGAYA District- Gaya

KARU PASWAN S/o Amarendra Paswan @ Amendra Paswan Resident of
Village- Kamaldash, P.S.- Paraiya, Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Vinod Kumar
For the Opposite Party/s :	Mr.Umeshanand Pandit
	Mrs. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-06-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing lock-down on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Smt. Anita Kumari Singh, the learned APP for the State.

The petitioner seeks regular bail in connection with Bodhgaya (Cherki) P.S. Case No. 162 of 2018 for the offence punishable under Sections 399, 402 of the Indian Penal Code and section 25(1-b) a, 26, 35 of the Arms Act.

The case of the prosecution in brief is that the police force got a secret information that some culprits had assembled at the alleged place of occurrence and were planning to



commit some crime, whereafter the police had reached at the place of occurrence and had managed to apprehend two persons, from whom, upon search, arms and ammunitions were recovered. It is further allegation of the informant that upon interrogation of the said two co-accused persons, who were arrested from the spot, they had disclosed that one of their accomplices, who had fled away, is the petitioner herein.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and is languishing in custody since 19.12.2019. It is further submitted that though the petitioner is an accused in three other cases, but he is on bail in the said three cases. Lastly it is submitted that neither the petitioner is named in the FIR nor any incriminating articles have been recovered from the conscious possession of the petitioner.

Per contra, the learned APP appearing for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the petitioner and taking into account the fact that neither the petitioner is named in the FIR nor any incriminating articles have been recovered from the petitioner, I deem it fit and



proper to direct for release of the petitioner on regular bail.

According, the petitioner, above named, is directed to be released on regular bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Trial Court, ADJ-III, Gaya in connection with S. Tr. 209/19/130/18 arising out of Bodhgaya (Cherki) P.S. Case No. 162 of 2018.

(Mohit Kumar Shah, J)

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