

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1293 of 2020**

Arising Out of PS. Case No.-172 Year-2019 Thana- RAJPUR District- Rohtas

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DHARMENDRA PASWAN Son of Sahbeer Paswan @ Sahavir Paswan
Resident of Village-Ramudih, P.S.-Rajpur, District-Rohtas.

... .. Appellant

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Dewendra Narayan Singh, Advocate

For the Respondent/s : Mr.Sadanand Paswan, Addl Public Prosecutor

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

3 06-07-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the parties.

The appellant has challenged impugned order dated
26.2.2020, passed by the Court below in a case filed for offence
punishable under section 307 and other allied sections of the
Indian Penal Code read with section 3 of the SC/ST Act and
under the Arms Act.

It is submitted by learned counsel for the appellant
that the appellant has falsely been implicated in this case on the



confessional statement of co-accused Dukhan Chaudhary. He submits that the only material against the petitioner is his recorded conversation with one Chinta Devi, wife of said co-accused Dukhan Chaudhary. Nothing incriminating has come against the petitioner during investigation to connect him with the alleged offence. Appellant is in custody since 21.12.2019 though he has no criminal antecedent.

Taking into consideration the facts and circumstances of the case, the impugned order dated 26.2.2020 is set aside and the appeal is allowed.

Let the appellant, above named, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge I, Rohtas at Sasaram in Rajpur Police Station Case No. 172/2019 on the following conditions:-

(1) Appellant shall co-operate 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, their bail-bonds shall be cancelled by the Court below.

(2) If the appellant tampers with the evidence or witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

(Prabhat Kumar Singh, J)

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