

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26057 of 2020

Arising Out of PS. Case No.-74 Year-2019 Thana- KARTAHA District- Vaishali

RAMESH PASWAN, aged about 32 years, Male, Son of Late Raghunath Paswan, Resident of Village- Ghataro, P.O.- Ghataro Chaturbhuji, P.S.- Kartaha, District- Vaishali.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mrs. Bela Singh, Advocate.

For the Opposite Party : Mr. Someshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-10-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For Orders' under the orders of Hon'ble the Chief Justice.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence registered under Sections 307, 120(B)/34 of the I.P.C. and Section 27 of the Arms Act.

The prosecution story, in brief, is that on 29.06.2019



at about 5.30 A.M. the informant had gone out of his house for bringing the labourers since he had constructed the boundary wall of his house, therefore, co-accused Bipin Chandra and Madhvendra Kumar @ Lal Babu had with prior planning under a conspiracy got the informant attempted to shot down. As soon as, he had gone out of his house and reached near the shop of Mohan Mahto at Lalganj-Hajipur Main Road, co-accused persons Ranjay Kumar and Yogendra Paswan were waiting for him. As soon as, he reached there, accused co-accused Yogendra Paswan raised alarm that the informant has arrived, therefore, he should be shot down. On his instigation, Ramesh Paswan (petitioner) had kept his Motorcycle ready in a starting position. Two boys aged about 18-20 years standing there fired upon him. Two of the cartridges hit at his right hand and another third one struck on the right side of his chest. When several people gathered, accused persons fled away.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 12.01.2020. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. There



is no allegation of firing against the petitioner. No overt act is alleged against the petitioner.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-15, Vaishali in connection with Kartaha P.S. Case No. 74/19, G.R. No. 4003 of 2019.

(Sudhir Singh, J)

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