

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 24681 of 2020

Arising Out of PS. Case No.-439 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

SANJAY PASWAN @ SANJAY KUMAR PASWAN Son of Suresh Paswan
Resident of Village- Dighi Kala Paschmi, P.S.- Hajipur Sader, District-
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Niranjan Parihar, Advocate
For the Opposite Party/s : Ms Suman Kumari Singh, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 23-09-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in Hajipur Sadar Police Station (for brevity, *PS*) Case No 439 of 2019 instituted for the offence punishable under Section 302/394 of Indian Penal Code and Section 27 of Arms Act.



Allegation in the first information report is that the informant has received information that his son has been shot at and his belongings have been looted by unknown person while he was returning home at the motor cycle.

Petitioner's counsel submits that the petitioner has been remanded in this case from Hajipur Sadar PS Case No 490 of 2019 merely on the basis of his confessional statement obtained by coercion. There is no recovery of any incriminating article from him. He is in custody since 11.12.2019. It is submitted that it is a case of false implication merely because of his criminal antecedents.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Vaishali at Hajipur in Hajipur Sadar PS Case No 439 of 2019 dated 07.07.2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to



how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

U		T	
---	--	---	--

