

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74709 of 2019

Arising Out of PS. Case No.-120 Year-2019 Thana- MUFFASIL District- West Champaran

PRADEEP PASWAN, aged about 30 years, Male, Son of Babulal Paswan,
Resident of Village - Nunipakad, P.S.- Sathi, District - West Champaran
... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 17-03-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks bail in connection with Bettiah Muffasil P.S. Case No. 120 of 2019, registered under Sections 399, 402 and 414 of the Indian Penal Code and 25(1-b)a, 26 and 35 of the Arms Act.

The accusation is that in course of patrolling duty, five persons were seen on two motorcycles, who started to flee away seeing the police vehicle, but, on chase, they were apprehended their names Izhar Ahmad, Nanhe @ Sarfaraz, Afsar Alam, Irsad Alam and Dhananjay Kumar. On search of Izhar Ahmad, he was found in possession of pistol, containing two cartridges in the magazine, Nanhe @ Sarfaraz was found in possession of motorcycle, bearing registration no. UP-168-4767, and also loaded two country made pistols, Afsar Alam was also found with loaded country made pistol, Irsad Alam was also found in possession of black colour 'Passion' motorcycle. From the dicky of the motorcycle two live cartridges were also recovered.



Dhananjay Kumar was found in possession of two live cartridges. On query, they disclosed the name of the petitioner, Pradeep Paswan, and Md. Wazir, having hand in the loot of Rs.15,81000/- of bank employee.

Submission is that petitioner was not apprehended on spot rather his name is surfaced in the confessional statement of five co-accused. The petitioner is accused in three cases, as detailed in paragraph 3, due to that reason police falsely implicated the petitioner showing his name in the confessional statement of five apprehended co-accused. The petitioner is in custody since 02.08.2019.

Having regard to the facts and circumstances of the case, let the petitioner, 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 in connection with Bettiah Muffasil P.S. Case No. 120 of 2019 to the satisfaction of the Chief Judicial Magistrate, West Champaran at Bettiah, subject to the condition that out of two bailors, one must either be parent or close relative of the petitioner.

(Rajendra Kumar Mishra, J)

Shamshad/-

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