

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13341 of 2021

Arising Out of PS. Case No.-321 Year-2019 Thana- PUPRI District- Sitamarhi

Abhishek Paswan @ Abhishek Kumar @ Raja S/O- Doman Paswan Resident
Of Village- Chaurout Ward No.02, P.S.- Chaurout, Distt- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mr. Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-08-2021 Heard learned counsel for the petitioner and learned A.P.P. for
the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the
defects within four weeks of resumption of normal court proceeding.
In the eventuality of non-removal of defects within undertaken
period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Pupri P.S. Case
No. 321 of 2019 registered for the offence punishable under Section
395 of the Indian Penal Code.

As per the prosecution case, allegation as per the F.I.R. is that
three unknown persons entered into the office of informant and
looted 12,000/- at gun point.

It is submitted by learned counsel for the petitioner that
petitioner has falsely been implicated in this case and has not
committed any offence as alleged in the FIR. He is neither named in



the F.I.R. nor was apprehended on the spot. He has not been put on T.I. parade till date. He submits that no incriminating article has been recovered from the possession of the petitioner. He submits that petitioner was arrested in Pupri P.S. Case No. 332 of 2019 under Arms Act and thereafter, the Police remanded the petitioner in present case. He further submits that similiary situated co-accused has been granted bail *vide* order dated 07.12.2020 in Cr. Misc. No. 26547 of 2020 by a Co-ordinate Bench of this Court. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has two criminal antecedents as has been mentioned in para 3 of the bail petition and he is languishing in custody since 21.10.2019.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Pupri P.S. Case No. 321 of 2019.

(Anjani Kumar Sharan, J)

GAURAV S./-

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