

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22171 of 2021

Arising Out of PS. Case No.-514 Year-2015 Thana- NAUBATPUR District- Patna

AJAY PASWAN S/O BANGALI PASWAN R/O VILLAGE-IBRAHIMPUR
TIVARICHAK, P.S. NAUBATPUR DISTRICT- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheikh Arkan Ahmad, Advocate
For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 15-11-2021

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 307, 326 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, three accused persons including the petitioner herein are stated to have resorted to indiscriminate firing leading to gun shot injuries on the informant.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. He is in custody since 1.6.2020 and charge sheet has been submitted in the case. His case stands on a similar footing to that of co-accused Chhotu Tiwari @ Chote Tiwari @ Sujeet Tiwari who has been enlarged on bail vide order dated 27.10.2021 passed in Cr. Misc. no. 41090 of 2021 and Santu Paswan @ Santu Kumar who has been enlarged on bail vide order dated 3.11.2021 passed in Cr. Misc. no. 16484 of 2021.

Heard learned APP for the State.



Having heard learned counsel for the parties and taking into consideration the petitioner having remained in custody for more than 1 year and grant of bail to the above named two co-accused, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no. 209 of 2021 (arising out of Naubatpur P.S. Case no. 514 of 2015) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge II, Danapur (Patna).

In view of the charge having been framed in the learned trial Court, it is directed that the petitioner shall co-operate in the trial and in case the learned trial Court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner, the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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