

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23885 of 2021

Arising Out of PS. Case No.-320 Year-2017 Thana- KARAHGAR District- Rohtas

VIJAY KUMAR PASWAN S/o- Laxuman Paswan R/o Village- Tirpurwa,
Ghar Ke Pass Primary School, Basudhar, P.S.- Sikroul, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice /Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences /offices.)

Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan Kr. Pandey, Adv
For the Opposite Party/s : Mr. Md. Fahimuddin APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 02-07-2021 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 120B and 307 of the Indian Penal Code and Section 27 of the Arms Act.

Informant has alleged that while his brother was attending a Shradh Ceremony his brother received unknown call on his mobile and thereafter he went to said place and was fired upon by unknown assailants in which he received fire arm injuries and was rushed to Hospital.

Learned counsel for the petitioner submits that FIR is against unknown and petitioner is innocent and has been falsely implicated in this case on mere suspicion only. Petitioner's

mobile which was used to call the victim was recovered from possession of other accused. No incriminating material has been recovered from the possession of the petitioner. It has been further submitted that from perusal of case diary it appears that statement of victim has been recovered and he has stated that two assailants on a motorcycle came and accused Amresh Singh fired upon him. Petitioner has got no criminal antecedent and is in custody since 11.01.2021.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Kargahar P.S. Case No.- 320 of 2017**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or

the witnesses of the case, in that case, prosecution will be at
liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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