

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.14120 of 2020**

Arising Out of PS. Case No.-167 Year-2018 Thana- SONBERSA District- Sitamarhi

VIJENDRA PASWAN Son of ASHok Paswan R/O Village - Bhishwa Bazar,
P.S. - Bela, District - sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

7 23-08-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Sonbarsa P.S. Case No. 167 of 2018 registered for the offence under Section 341, 323, 307/34 of the Indian Penal Code and Section 27 of the Arms Act. He is in custody since 29.05.2019.

As per the prosecution story, when the father of the informant was on his morning walk on 01.09.2018, at about 6:00 A.M. the informant came to know that while returning from the morning walk his father was intercepted by five unknown criminals who were present there on three red colour Apache motorcycles. It is alleged that they surrounded the father of the informant and fired upon him. Because of the fire-arm

injuries father of the informant fell down, whereafter the accused persons fled away. The father of the informant was brought to the hospital.

Learned counsel for the petitioner submits that the petitioner is not named in the First Information Report. In course of investigation, the name of the petitioner has been brought on the basis of confessional statement of co-accused Lalan Ram. Altogether 10 persons have been named as associates in the confessional statement. The specific allegation of firing has come against the co-accused Sujit Bhandari, Vikash Sah and Ram Ishwar Paswan.

Learned counsel submits that the witness in paragraph '11' of the case diary has also taken the name of the co-accused Sujit Bhandari, Ram Ishwar Paswan and Vikash Sah.

It is then submitted that co-accused Vikash Sah has been granted bail by learned court below vide order dated 18.08.2019 in B.P. No. 769/2019.

Learned counsel for the petitioner submits that after this case the petitioner was implicated in four other cases, however he is on bail in all the four cases. He has also filed a supplementary affidavit in this regard on 21st August, 2021.

Learned A.P.P. for the State has though opposed the

prayer for bail of the petitioner, but considering the
aforementioned facts, this Court directs release of the petitioner
above-named on bail on furnishing bail bond of Rs. 25,000/-
(Rupees Twenty Five Thousand only) with two sureties of the
like amount each to the satisfaction of learned Chief Judicial
Magistrate, Sitamarhi in connection with Sonbarsa P.S. Case
No. 167 of 2018, subject to the condition as laid down under
Section 437 (3) Cr.P.C.

And further condition that the court below shall verify
the criminal antecedent of the petitioner and in case at any stage
it is found that the petitioner has concealed his criminal
antecedent, the court below shall take step for cancellation of
bail bond of the petitioner. However, the acceptance of bail
bonds in terms of the above-mentioned order shall not be
delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.