

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29100 of 2021

Arising Out of PS. Case No.-414 Year-2020 Thana- MOHANIYA District- Kaimur (Bhabua)

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SANJAY PASWAN Son of Bigau Paswan Resident of Village- Pusauli, P.S.-
Mohania, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyam Bihari Singh, Advocate

For the Opposite Party/s : Mr. Umesha Nand Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-12-2021 Heard Mr. Shyam Bihari Singh, learned counsel for

the petitioner and Mr. Umesha Nand Pandit, learned Additional

Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with

Mohania P.S. Case No. 414 of 2020 registered for the offences

punishable under Sections 341, 323, 385, 504, 506 of the Indian

Penal Code 1860, Sections 25 (1-b)a and 26 of the Arms Act.

The allegation as per the First Information Report is

that while the informant was irrigating his field, the petitioner

prevented him and assaulted the informant. It has further been

alleged that while the informant was returning back to home at

about 2:30 pm and reached near the house of the petitioner, the

petitioner again abused and assaulted him and upon hearing the



noise, the son of the informant came there, upon which, the petitioner threatened him waiving his country made pistol.

Learned counsel for the petitioner submits that both the parties are agnates and there is land dispute between them. Learned counsel further submits that the country made pistol has been surrendered by the petitioner himself before the Police, for which seizure list has been prepared. Learned counsel next submits that the petitioner is in custody since 28.12.2020 i.e. almost for a year. He also submits that charge sheet has already been submitted in the matter and there is no likelihood that the petitioner will abscond and tamper with the evidence.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that no injury has been caused to the informant or his son much less firearm injury, the petitioner is in custody since 28.12.2020 and charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Mohania P.S. Case No. 414 of 2020.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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