

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37719 of 2021

Arising Out of PS. Case No.-105 Year-2020 Thana- BHADAUR District- Patna

RAVINDRA PASWAN Son of Sri Damodar Das Resident of Village-
Kajichak Beldariya, P.S.- Bhadaur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap

For the Opposite Party/s : Mr.APP.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-12-2021 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in connection Bhadaur P.S. Case no. 105 of 2020 registered for the offence punishable under sections 147, 148, 149, 324, 326, 307 and 504 of the Indian Penal Code read with section 27 of the Arms Act.

Learned counsel for the petitioner submits that petitioner is in custody since 13.3.2021 and charge sheet has been submitted. Learned counsel for the petitioner further submits that the informant alleges that the petitioner fired causing injury in the abdomen of brother of the informant. Learned counsel submits that from perusal of the allegation as alleged in the FIR, it would manifest that the informant in the FIR has named 12 accused persons including this petitioner.



Learned counsel further submits that though the informant alleges that his brother was shot by this petitioner but from perusal of the FIR, it would manifest that there was no eye-witness to the occurrence rather in the FIR the informant has alleged that he heard that accused persons had shot Prahlad Paswan including this petitioner. Learned counsel further submits that counter case has also been filed by brother of this petitioner being Bhadaur P.S. Case no. 108 of 2020 in which brother of the informant and injured of this case are accused. Learned counsel further submits that from perusal of the allegation, it would further manifest that there is no eye-witness to the alleged occurrence nor the informant has assigned any motive for the same.

Learned APP opposes the prayer for bail.

Considering the facts that petitioner is in jail custody and charge sheet has been submitted and there is no eye-witness to the occurrence, the petitioner is directed to be released on bail on furnishing bail bonds of Rs 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of Sri P.K.Tiwary, Judicial Magistrate, Ist Class, Barh, Patna/ concerned court in Bhadaur P.S. Case no. 105 of 2020 with condition that petitioner will mark his attendance in between 20-



25 of every month commencing from January, 2022 till the charges are not framed, in the event it is reported by local police that petitioner has not marked his attendance in between 20-25 of any of the month till framing of the charge, the learned court below will be at liberty to cancel his bail bond.

(Satyavrat Verma, J)

s.hassan/-

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