

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36384 of 2020

Arising Out of PS. Case No.-281 Year-2019 Thana- ARA MUFFSIL District- Bhojpur

BIJENDRA PASWAN Son of Shiv Muni Paswan Resident of Village -
Jagwaliya, P.S.- Ara Muffasil, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv

For the Opposite Party/s : Ms. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 25-02-2021 Heard learned counsel for the petitioner and learned APP for the State. Learned counsel for the petitioner has filed an undertaking to remove all defects pointed out by the Stamp Reporter as and when required. It is accordingly directed that all defects pointed out by the Stamp Reporter be removed within one month hereof.

2. Learned counsel for the petitioner has filed a supplementary affidavit seeking correction of "Piro P.S. Case No. 10 of 2019" typed inadvertently in the prayer portion of the bail petition, to read as "Ara Muffasil P.S. Case No. 281 of 2019".

3. Permission as sought for is granted. Let necessary correction be made in the bail petition.

4. The petitioner is in custody since 01.11.2019 in connection with Ara Muffasil P.S. Case No. 281 of 2019 for the alleged offences under Sections 147, 148, 149, 323, 307, 380, 504, 506 of the Indian Penal Code and Section 25(1-b)a. 26, 27 and 35 of the Arms Act.

5. It is submitted that the petitioner has been falsely implicated in connection with firing upon the informant's son



who was injured on the right side of the back. There is counter case filed by the petitioner bearing Ara (M) P.S. Case No. 287 of 2019. No recovery of any incriminating articles has been made from the conscious possession of the petitioner who has already suffered more than one year in custody. The petitioner is accused in two prior cases as stated in paragraph 3 of the petition.

6. Learned APP appears and opposes the petition on the basis of case diary. However, no injury report has been shown to corroborate the accusation of firing by the petitioner.

7. Be that as it may and having regard to the period of custody already suffered since 01.11.2019, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara Muffasil P.S. Case No. 281 of 2019, if he is not otherwise required in any other case.

8. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

Chandran/-

U		T	
---	--	---	--

