

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30863 of 2020

Arising Out of PS. Case No.-75 Year-2020 Thana- KHUSRUPUR District- Patna

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BINOD PASWAN, Male, age about 65 years, Son of Late Gorakh Paswan,
Resident of Village- Hemzapur, P.S.- Khusrupur, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Kamlesh Kumar, Advocate.
For the State	:	Mr. Parmeshwar Mehta, A.P.P.
For the Informant	:	Mr. Ramakant Sharma, Sr. Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-01-2021 In the present case, in the order dated 23.11.2020, at last due to inadvertent mistake, the date '04.01.2020' has wrongly been typed in place of '04.01.2021'.

Let the date '04.01.2021' be read in place of '04.01.2020' in the present case.

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

Heard learned counsel for the petitioner, learned senior counsel for the informant and learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence registered under Sections 341, 323, 324, 307, 326 and 504/34 of the I.P.C.



The prosecution story, in brief, is that on 09.03.2020 at about 4.10 P.M., in the evening, the informant alongwith his owner Ajay Kumar Azad was going to the house of Ajay Kumar Azad. On the way, the informant stopped to purchase some articles from the market but his owner went ahead. On hulla, the informant saw that Binod Paswan and 2-3 unknown persons surrounded his owner. Binod Paswan and 2-3 unknown persons having *Garasa* in their hand abused and fired with pistol on Ajay Jee causing hand and neck injury. When he run away towards the police station to save his life, Binod Paswan assaulted on the head of Ajay Jee causing head injury. The police came and arrested Binod Paswan and Ajay Jee was admitted in hospital.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 10.03.2020. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Weapon used by the petitioner is alleged to be the *Garasa*. The petitioner has remained in custody for more than nine months. It is further submitted that the petitioner may be released on bail



after completion of one year in custody

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner above named, is directed to be released on bail after completion of one year in custody on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Patna City, in connection with Khusrupur P.S. Case No. 75 of 2020.

(Sudhir Singh, J)

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