

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34425 of 2020

Arising Out of PS. Case No.-27 Year-2018 Thana- ISHIPUR District- Bhagalpur

Ghanshyam Paswan Son of Late RamLakhan Paswan Resident of Village-
Mangarh, P.S. Mehrama, District-Godda (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Adv.

For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 10-02-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Isipur (Barahat) P.S. Case No. 27 of 2018 & S.T. No. 701 of 2018 registered for the offence punishable under Sections 394, 302, 341 of the Indian Penal Code and Section 27 of the Arms Act and thereafter added 120B of the I.P.C.

Petitioner had earlier moved this Court for grant of regular bail vide Cr. Misc. No. 58724 of 2018 which was rejected on 12.12.2018 with a direction to the trial court to conclude the trial within one year.

Informant who is the petitioner has alleged in his fardbeyan that on 26.02.2018 while he alongwith his family were going in tempo for treatment, in the way two persons



stopped his tempo and got seated in the tempo and when they reached Panchrukhi More brick lane then accused persons stopped the tempo and thereafter on the point of pistol they took Rs. 800/- , SBI ATM card, Mobile and remote. In the meantime one of the accused fired upon the wife of informant in her stomach and she was taken to the Hospital where she was declared dead.

It has been submitted on behalf of petitioner that he is innocent and has been falsely implicated in this case due to village politics. There are seven charge sheet witnesses in which six witnesses have been declared hostile. Petitioner has no criminal antecedent and is in custody since 03.03.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Session Judge-XIIth, Bhagalpur, in connection with Isipur (Barahat) P.S. Case No. 27 of 2017 and S.T. No. 701 of 2018 subject to the conditions that:-

- (1) Bailors should be local
having sufficient immovable property
within the jurisdiction of the court



concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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