

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38147 of 2020

Arising Out of PS. Case No.-9 Year-2020 Thana- SUGAULI RAIL P.S. District- West
Champaran

=====

Basdeo Paswan @ Basaki Paswan @ Basudeo Paswan Son of Bujhawan
Paswan Resident of Village - Tishiauta, P.S.- Tishiauta, Distt.- Vaishali. At
present Bara Bariyarpur Ward No.3, P.S.- Chhatuni, Distt.- East Champaran.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar
For the Opposite Party/s : Mr.Pramod Kumar Pandey,APP

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 23-03-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Sugauli (Bettiah) G.R.P.
P.S. Case No. 09 of 2020, registered for the offence under
Section 307 & other allied Sections of I.P.C., Section 27 of the
Arms Act and Sections 147 & 154 of Railway Act.

As per the prosecution case, the informant in the
night of 22.03.2020 got down from Jannayak Express at
Chanpatiya Railway Station and at the main gate of station, he
saw 4-5 persons, in the meantime, one of them took out a pistol
from his waist and opened fire, as a result of which, the
informant sustained fire-arm injury and he fell down. During
treatment, he came to know that some other persons also
sustained injury in the said occurrence.

Petitioner is not named in the FIR. The name of
petitioner has come during course of investigation. It is further
submitted that no incriminating has been recovered from the



possession of the petitioner and till date, petitioner has not been put on TIP. Petitioner is in custody since 03.06.2020. Chargesheet has been submitted.

Considering the aforesaid facts & circumstances and the fact that no incriminating article has been recovered from possession of petitioner, petitioner has not been put on TIP till date and chargesheet has been submitted, the bail application of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Rail, West Champaran (Bettiah) in connection with Sugauli (Bettiah) G.R.P. P.S. Case No. 09 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

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

(Prabhat Kumar Singh, J.)

anay

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

