

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40285 of 2020

Arising Out of PS. Case No.-146 Year-2019 Thana- BEERPUR District- Begusarai

RAM SUGIYA PASWAN Son of Janardan Paswan Resident of Village-
Sahuri, Ward No.05, P.S.- Birpur, Distt- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikramdeo Singh

For the Opposite Party/s : Ms. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-02-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Birpur Police Station Case No. 146 of 2019, registered for the
offences punishable under Sections 307/34 of the Indian Penal
Code and Section 27 of the Arms Act.

The prosecution case, as per the First Information
Report, is that the petitioner arrived at the house of the
informant and told him that Bumbam Rai was calling him, upon
which the informant accompanied the petitioner along with his
cousin brother, Rakesh Kumar and as soon as the informant
reached near the Community Hall, Bumbam Rai and his nephew
Chandan Kumar, who were standing there from before, started
firing upon them, due to which the informant and Rakesh



Kumar sustained gun-shot injuries. It has further been alleged that the firing made by this petitioner hit the informant and the firing made by co-accused Bumbam Rai hit Rakesh Kumar.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case with oblique motive and there is contradiction in the First Information Report itself inasmuch as in the first part of the First Information Report, the informant alleged that the firing was made by Bumbam Rai and his nephew Chandan Kumar; whereas in the end of the First Information Report, the informant alleged that the firing made by this petitioner hit the informant and the firing made by co-accused Bumbam Rai hit Rakesh Kumar. He next submits that the petitioner has got no criminal antecedent and co-accused Chandan Kumar has been granted bail by co-ordinate Bench of this Court, vide order, dated 24.09.2020, passed in Criminal Misc. No. 24726 of 2020.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the nature of allegation made in the First Information Report as well as the fact that co-accused Chandan Kumar has been granted bail by this Court, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.



Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Begusarai, in connection with Birpur Police Station Case No. 146 of 2019.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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