

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14034 of 2021

Arising Out of PS. Case No.-131 Year-2020 Thana- BAKHTIYARPUR District- Patna

KUNAL PASWAN Son of Late Ghutar Paswan @ Brije Paswan Resident of
Village - Dedaur, P.S.- Bakhtiyarpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap, Advocate

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 30-06-2021 Heard learned counsel for the petitioner and learned
counsel for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Bakhtiyarpur P.S. Case no. 131 of 2020 registered under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the FIR, it is stated by the informant that while he was seated at his house and his father was also present, the accused persons including the petitioner herein came variously armed and started to abuse and assault the informant's father. They were threatening to withdraw the case and were making a demand of Rs. 2 lacs. It is stated that Chandan Paswan fired hitting the informant's father as a result of which he fell down. The accused persons went away. On being taken to the Primary Health Centre, Bakhtiyarpur, his father was declared dead.

It is submitted by learned counsel for the petitioner that from perusal of the FIR itself it would transpire that the



allegations are general and omnibus in nature. The specific allegation of firing is on co-accused Chandan Paswan. Learned counsel for the petitioner relies on the order dated 10.3.2021 passed in Cr. Misc. no. 2803 of 2021 to submit that by the said order co-accused Siyaram Paswan, Alok Paswan, Mannu Paswan, Jai Ram Paswan and Bhagwan Paswan have been enlarged on bail and the case of the petitioner stands on a similar footing to these five co-accused. The petitioner is in custody since 29.6.2020 and has no criminal antecedent.

The application for bail is opposed by learned counsel for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including grant of bail to the five other co-accused vide order dated 10.3.2021, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Bakhtiyarpur P.S. Case no. 131 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate I, Barh, Patna.

(Partha Sarthy, J)

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