

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13453 of 2021

Arising Out of PS. Case No.-596 Year-2018 Thana- NAUBATPUR District- Patna

AVINASH PASWAN, S/o- Sri Raju Paswan, R/o village- Karariya,
Dariyapur, P.S.- Naubatpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Narendra Kr. Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-07-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects as pointed out by the office within four weeks of normal functioning of the court, failing which the office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 147, 148, 149, 341, 302, 120B of the Indian Penal Code and 27 of the Arms Act.

Informant in his fardbeyan has stated that on 07.12.2018 he was going alongwith his Step father then FIR named accused persons including the petitioner forcibly took away his step father with them towards South Badhar and he fled away to his house raising alarm. After some time when he



returned back alongwith family members he found his step father have been killed by FIR named accused.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that having identical allegation, co-accused, namely Promod Kumar and Manoj Kumar have been granted bail by the co-ordinate Benches of this Court vide order 01.04.2019 passed in Cr. Misc. No.16047/2019 and dated 06.05.2019 passed in Cr. Misc. No. 11313/2019. The petitioner is languishing in judicial custody since 06.10.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition.

Learned APP for the State opposes the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Naubatpur P.S. Case No. 596/2018 to the satisfaction of learned Court below where the case is pending; subject to the following conditions:

- (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 shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.

(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.

(Anjani Kumar Sharan, J)

amitkumar/-

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

