

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17546 of 2022

Arising Out of PS. Case No.-13 Year-2021 Thana- DANDARI District- Begusarai

SANTOSH PASWAN S/o Khaltu Paswan @ Ram Sevak Paswan R/o village-
Rajopur, P.S.- Dandari, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar, Advocate.

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 06-04-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
Dandari P.S. Case No. 13 of 2021 for the offence punishable
under Sections 341, 323, 307/34 of the Indian Penal Code and
Section 27 of the Arms Act.

The prosecution story, in brief, is that the petitioner
along with other co-accused persons had assaulted the informant
with country made pistol which hit the left chest and left hand of
the victim. The victim was examined by the doctor at private
hospital.



Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that petitioner was not apprehended at the spot. There is no specific allegation of assault against the petitioner. Petitioner is in custody since 19.03.2021. Similarly situated co-accused Guddu Kumar has already been granted bail vide order dated 03.03.2022 passed in Cr. Misc. No. 44858 of 2021 by this Court.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case, there is no specific allegation of assault against the petitioner and similarly situated co-accused has been enlarged on bail by this Court, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-V, Begusarai in connection with Dandari P.S. Case No. 13 of 2021, 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.

(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.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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