

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33565 of 2021

Arising Out of PS. Case No.-77 Year-2007 Thana- RAJEPUR District- East Champaran

SUHAG PASWAN S/O RAM BILAS PASWAN @ VILASH PASWAN R/o
village- Ram Nagar, P.S.- Siwaipatti, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 08-03-2022 Heard Mr. Abhishek Kumar, learned counsel for the

petitioner and Mr. Md. Fahimuddin, learned Additional Public

Prosecutor for the State.

Petitioner seeks regular bail in connection with
Sessions Trial No. 390/2019 relating to Rajepur PS Case No.
77/2007 registered for the offences punishable under Sections
147, 148, 149, 341, 342, 353, 324, 326, 307, 302 of the IPC and
Section 17 of the Criminal Law Act.

The petitioner is alleged to be a member of Naxal
group having 26 cases pending against him. The allegation, as
per FIR lodged in the year 2007 is that on the basis of secret
information that some miscreants were planning to attack on the
police station, the police force proceeded to village-Laxminia
where the named accused persons (Naxalites) including others



started firing upon the police force and in the cross-firing three police personnel died. The name of the present petitioner has come in this case on the basis of confessional statement of co-accused.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of confessional statement of co-accused and he has not committed any offence in the manner alleged. He further submits that the petitioner is not named in the FIR and he was not knowing about his involvement in the present case and he is in custody since 22.10.2010. Altogether 13 cases are pending against the petitioner, details of which have been mentioned in para-3 of this petition and he was having no knowledge about his involvement in the present case and subsequently, he was remanded in this case on 17.01.2019.

On the other hand, learned counsel for the State, referring to the case diary, submits that the petitioner is an active member of Naxal group and he has concealed the material fact from this Court inasmuch as he has not correctly stated antecedent of the petitioner in para-3 of this application and altogether 26 cases are pending against him which would be evident from para-36 of the case diary but instead of 26 cases,



the petitioner has disclosed only 13 cases.

Having regards to the submissions made by the parties and taking into consideration the material on record and the fact that altogether 26 case are pending against the petitioner and the petitioner appears to be an active member of Naxal group, I am not inclined to grant regular bail to the petitioner at this stage. The same is, hereby, rejected.

However, the petitioner if so advised, may renew his prayer for bail after one year from today if the trial does not record any progress.

(Anil Kumar Sinha, J)

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