

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24058 of 2022

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

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Raju Paswan Son Of Chhotu Paswan R/O Village- Karariya, Dariyapur, P.S.-
Naubatpur, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Naubatpur P.S. Case No. 596 of 2018 registered for the alleged offences under Sections 147, 148, 149, 341, 302, 120B of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the petitioner and FIR named 10 accused persons forcibly took away the step-father of the informant and later on the dead body of step-father of the informant was recovered.



The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is no specific allegation against this petitioner. The step-father of the informant done to death due to party politics and the petitioner has no involvement in the same. Moreover, from the facts of FIR, it is also apparent that when the occurrence took place, the informant was not present there and so he is not an eye witness. Nothing incriminating has been recovered from this petitioner who was not apprehended from the spot. Other co-accused persons have been granted bail vide order dated 01.04.2019 passed in Cr. Misc. No. 16047/2019, order dated 06.05.2019 passed in Cr. Misc. No. 11313/2019, order dated 08.07.2021 passed in Cr. Misc. No. 13453/ 2021. The case of the petitioner is similarly placed. Charge sheet has been submitted in this case and the petitioner is in custody since 26.02.2022. The petitioner has got no criminal antecedent.

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

Having regard to the submission made on behalf of the parties and considering the non specific allegation against this petitioner along with his clean antecedent and submission of charge sheet as well as period of custody of the petitioner, the



petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Danapur, Patna in connection with Naubatpur P.S. Case No. 596 of 2018, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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