

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46520 of 2021

Arising Out of PS. Case No.-67 Year-2011 Thana- RAJEPUR District- East Champaran

SUHAG PASWAN S/o Ram Bilas Paswan @ Vilash Paswan R/o village-
Ram Nagar Math, 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. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 04-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under section 302 and other sections of the Indian Penal Code, section 27 of the Arms Act and section 17 of the C.L.A. Act.

As per the prosecution case, seven named accused persons and 3-4 unknown are stated to have come variously armed and of having shot the husband of the informant as a result of which he died.

It is submitted by learned counsel for the petitioner that the petitioner is not named in the F.I.R. His name transpired much later in the confessional statement of co-accused made before police. No incriminating material has transpired against the petitioner to connect him with the alleged crime. The



petitioner is in custody since 17.1.2019 and investigation in the case has concluded.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner having remained in custody for more than 3 years and grant of bail to the other co-accused, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no.253 of 2019 (arising out of Rajepur P.S. Case no.67 of 2011) 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 2nd Additional Sessions Judge, Motihari, East Champaran.

In view of the trial in the case having commenced and the case being of the year 2011, it is directed that the petitioner shall remain physically present in the trial court on each date of the trial and in case of the petitioner's absence on any single date for reasons not to the satisfaction of the learned trial court, the learned trial court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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