

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42684 of 2022

Arising Out of PS. Case No.-7 Year-2022 Thana- MATIHANI District- Begusarai

ROHIT PASWAN S/o Rajaram Paswan R/o village- Chakaur, P.S.- Matihani,
District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvottam Kumar

For the Opposite Party/s : Mr.Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 16-11-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Matihani P.S. Case No. 07 of 2022 registered for the offences
punishable under Sections 307, 341, 504, 506/34 of the I.P.C
and Section 27 of the Arms Act.

As per prosecution case, informant with his son
and brother after closing shop were returning home. Petitioner
and other accused persons were standing at road behind
Khorampur Masjid. It is alleged that co-accused Ashok Paswan
fired as a result of which informant sustained injury.

Learned counsel for the petitioner submits that



petitioner is in custody since 22.02.2022 and bears criminal antecedent of three cases. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that petitioner is only member of mob. There is no specific overt act against the petitioner. Allegation against the petitioner is general and omnibus in nature. Learned counsel for the petitioner further submits that from perusal of FIR allegation of firing is against co-accused, Ashok Paswan.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Mr.Rajeev Kumar, Ld. J.M. 1st Class, Begusarai in connection with Matihani P.S. Case No. 07 of 2022 , subject to following conditions:-



(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

vashudha/-

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