

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51659 of 2021

Arising Out of PS. Case No.-176 Year-2020 Thana- KARAKAT District- Rohtas

1. Jag Narayan Paswan Son Of Late Chandrika Paswan Resident Of Village Chandi, P.S. - Karakat, Distt. - Rohtas, Bihar.
2. Ajit Paswan Son Of Late Jawahar Paswan Resident Of Village Chandi, P.S. - Karakat, Distt. - Rohtas, Bihar.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Satyendra Rai- Advocate
For the Opposite Party/s	:	Mr. Rajendra Nath Jha- A.P.P.
For the Informant	:	Mr. Arun Kumar- Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-02-2022 Heard learned counsel for the petitioners, learned counsel for the informant and the learned APP for the State.

The petitioners seek bail in connection with Karakat P. S. Case No.176 of 2020, instituted for the offences under Sections 302/ 34 of the Indian Penal Code and Section 27 of the Arms Act.

The learned counsel for the petitioners submits that petitioner no.1 is in custody since 16.11.2020 and petitioner no.2 is in custody since 20.01.2021 and charge-sheet has been submitted in the case and petitioner no.1 is aged about 80 years.

The learned counsel for the petitioners further submits that the informant alleges that on account of dispute, Satyendra



Paswan shot the father of the informant (deceased) on orders of the petitioner no.1 and the deceased died and on hearing the sound of firing, the informant came to the place of occurrence when petitioner no.2 fired at him, but he managed to save himself.

The learned counsel for the petitioners submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that Satyendra Paswan is alleged to be the main assailant. As far as petitioner no.1 is concerned, he is alleged to be the order giver and petitioner no.2 is alleged to have fired, but the informant managed to save himself. It is thus submitted that the allegation of firing as far as petitioner no.2 is concerned, that is ornamental only to give a serious colour to the case.

Learned counsel for the informant as well as learned A.P.P. for the State vehemently opposes the bail application, but are not able to meet the submission of the learned counsel for the petitioner that a person, who is aged about 80 years, would go to the place of occurrence only for giving orders for killing the deceased.

Considering the fact that petitioners are in custody, charge-sheet has been submitted and petitioner no.1 is alleged to be the order giver, who is aged about 80 years, petitioner no.2 is



alleged to have fired, but missed, the petitioners, above-named, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 8th Additional Sessions Judge, Rohtas at Sasaram in connection with Karakat P. S. Case No.176 of 2020.

The application stands allowed.

(Satyavrat Verma, J)

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