

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44158 of 2022

Arising Out of PS. Case No.-75 Year-2021 Thana- BAKHTIYARPUR District- Patna

Jai Ram Paswan Son of Samdev Paswan Resident of Village - Dedaour, P.s.-
Bakhtiyarpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate
For the Opposite Party/s : Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 25-11-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

thorough virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with

Bakhtiyarpur P.S. Case No. 75 of 2021 registered for the offence

under Sections 147, 148, 149, 302 of the I.P.C. and Section 27

of the Arms Act.

The accused/petitioner is not named in the F.I.R. and
is in custody since 20.04.2022.

The allegation against the petitioner as per

prosecution case, while the deceased was returning to home by

train on 09.04.2021 at about 8:30 pm and while so arrived at



Chamapur Halt, two co-accused namely, Jitendra Paswan and Lalan Paswan shot him dead.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner was the informant of the present case, where during the course of investigation, the name of petitioner surfaced on the basis of confessional statement of not named co-accused persons namely, Kundan Kumar, in furtherance of which no incriminating material was recovered/surfaced during the course of investigation, which may connect this petitioner, *prima facie*, with present set of occurrence. It is also submitted that said co-accused namely, Kundan Kumar, has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 69967 of 2021 vide order dated 04.03.2022. While concluding the argument, it has been submitted that investigation of this case is complete, where charge-sheet has been submitted, as such, there is no chance of tempering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as nothing surfaced/recovered to connect this petitioner, *prima facie*, with present set of occurrence coupled with the fact that charge-sheet has been submitted, let the petitioner, above



named, is directed to be released on bail in connection with Bakhtiyarpur P.S. Case No. 75 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-V, Barh, Patna/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-

U		T	
---	--	---	--

