

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58312 of 2021**

Arising Out of PS. Case No.-138 Year-2019 Thana- PIRI BAZAR District- Lakhisarai

MUNESHWAR PASWAN @ BHUNESHWAR PASWAN S/o Late Sahdeo
Paswan R/o village- Lakshmipur, P.S.- Bariyarpur, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Narayan Singh, Adv.

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 07-03-2022 Heard learned counsel for the petitioner and Mr. Bal
Mukund Prasad Sinha, learned A.P.P. for the State.

The petitioner seeks bail in connection with Piri Bazar
P.S. Case No. 138 of 2019 instituted for the offences under
Sections 364, 120B and 34 of the Indian Penal Code read with
Sections 16, 17 and 20 of the U.A.P. Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 15.09.2020, charge-sheet has been
submitted in the case and has antecedent of two cases and the
informant alleges that he received information that Mohan
Singh @ Madan Singh was abducted by the Moist, accordingly,
the informant reached the house of the victim and the family
member confirmed that victim was abducted by the Moist.

Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the present case, if Mohan Singh @ Madan Singh would have been abducted by the Moist then definitely his family members would have approached the police, but it was the police who alleges that on coming to know that the victim has been abducted confirmed the same from his family members. It is further submitted that the victim was released and his statement recorded under Section 161 Cr.P.C, wherein he has stated that he was abducted by Nauxal but later released. Learned counsel for the petitioner thus, submits that in order to falsely implicate the petitioner, the entire allegation was cooked up by the police. It is further submitted that co-accused, Mohan Mandal has been granted bail by a co-ordinate Bench of this Court on 16.07.2021 passed in Cr. Misc. No. 21978 of 2021.

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

Considering the fact that the petitioner is in custody since 15.09.2020, charge-sheet has been submitted in the case and co-accused has been granted bail and also the victim has not alleged that any extortion amount was taken, 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 SDJM, Lakhisarai in
connection with Piri Bazar P.S. Case No. 138 of 2021.

(Satyavrat Verma, J)

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