

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48907 of 2022

Arising Out of PS. Case No.-243 Year-2021 Thana- DALSINGHSARAI District- Samastipur

GANESH PASWAN @ GANESH KUMAR PASWAN S/O LATE
SATYADEV PASWAN, aged about 33 years (Male), Resident of village-
Nikaspur, P.S.- Ujiarpur, District- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Pramod Kumar Singh, Advocate
For the Opposite Party : Mr. Anil Kumar Singh No. 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner is directed to
remove the defect (s), as pointed out by the office, within a
period of four weeks.

The petitioner seeks bail in connection with
Dalsingsarai P.S. Case No. 243 of 2021 registered for the
offence under Sections 396, 412, 120(B) of the I.P.C. and
Section 27 of the Arms Act.

The prosecution case, in brief, is that on 23.08.2021 at
about 1.05 P.M., in the afternoon, two unknown criminals
having pistols in their hands entered into the shop of one Sunil
Kumar Rai, Proprietor of Gaurav Enterprises. The said Sunil



Kumar Rai was going to deposit Rs. 4,25,000/- in the Bank of Baroda, Dalsingsarai, in the meantime, two unknown criminals snatched the said money. On protest, criminals fired upon Sunil Kumar Rai, as a result of which, he died. Thereafter, Md. Pappu @ Anisul Rahman tried to catch the criminals but they fired in the stomach and thigh of Md. Pappu @ Anisul Rahman, as a result of which, he also died and thereafter they fled away.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 10.06.2022. He has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. The petitioner has not been put on T.I. Parade to ascertain his participation in the alleged occurrence. His name has transpired in the present case on the basis of confessional statement of co-accused. Other co-accused have been granted bail vide Cr. Misc. Nos. 15775 of 2022, Cr. Misc. No. 13357 of 2022, Cr. Misc. No. 19376 of 2022, 23186 of 2022 and 31622 of 2022 all under order dated 02.08.2022 by another Co-ordinate Bench of this Court, as annexed as Annexure-2 to the present bail application.

On behalf of the State, it is submitted that the



petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-Ist, Dalsingsarai, Samastipur, in connection with Dalsingsarai P.S. Case No. 243 of 2021.

(Sudhir Singh, J)

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