

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59600 of 2021

Arising Out of PS. Case No.-35 Year-2021 Thana- BARURAJ District- Muzaffarpur

1. CHUNNU PASWAN S/o- Hira Paswan @ Heera Paswan Resident of Village- Rajwara, P.S.- Sahebganj, District- Muzaffarpur.
2. Ashok Kr. Paswan @ Ashok Kumar Paswan S/o Jodha Paswan Resident of Village- Rajwara, P.S.- Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-03-2022 Heard learned counsel for the petitioners and Mr. Binod Kumar, learned A.P.P. for the State.

The petitioners seek bail in connection with Baruraj P.S. Case No. 35 of 2021 instituted for the offences under Sections 395 and 397 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 31.05.2021 and petitioner no. 1 has antecedent of three cases and petitioner no.2 has antecedent of two cases, charge sheet has been submitted and the informant alleges that Rajan Pandey and Abhishek Pandey along with three unknown criminals intercepted the informant and his



driver and looted Rs. 30,000/- along with mobiles and Rajan Pandey shot the informant heating him on his stomach and threatened the informant asking him to ensure that his nephew does not contest election.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the case. The petitioners are not named in the First Information Report. It is further submitted that the informant has specifically named Rajan Pandey and Abhishek Pandey but the name of the petitioners has not transpired in the case based on an investigation against Rajan Pandey and Abhishek Pandey and others, the petitioners were arrested in a different case and they were made to confess their participation in the present crime, which has no evidentiary value.

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 31.05.2021, charge-sheet has been submitted in the case and their name transpired based on their own confessional statement, let the petitioners above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the



satisfaction of learned Judicial Magistrate, 1st Class, Muzuffarpur in connection with Baruraj P.S. Case No. 35 of 2020, subject to condition that one of the bailor of the petitioners shall be their respective fathers namely, Hira Paswan @ Heera Paswan and Ashok Kumar Paswan @ Ashok Kumar Paswan.

(Satyavrat Verma, J)

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