

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62693 of 2021

Arising Out of PS. Case No.-71 Year-2020 Thana- OBRA District- Aurangabad

JOSHI KUMAR S/o Manoj Paswan @ Manoj Kumar Resident of Village -
Ratwar, P.O. - Kurhama, P.S. - Obra, District - Aurangabad (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Singh, Adv.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 302 and other sections of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, it is stated that the accused persons named in the F.I.R. came variously armed and co-accused Anil Paswan shot the brother of the informant. Thereafter the accused persons went away and while leaving, it is stated that Anil Paswan continued to give threats.

It is submitted by learned counsel for the petitioner that from perusal of the F.I.R. itself, the sole assailant is said to be co-accused Anil Paswan and not the petitioner herein. So far as the petitioner is concerned, he is named as one of the



accused. The allegations are general and omnibus in nature. The petitioner is in custody since 29.1.2021 and has no criminal antecedent. Chargesheet has been submitted in the case.

Having heard learned counsel for the parties and taking into consideration the nature of allegation in the F.I.R. together with Anil Paswan having been said to be the sole assailant in the F.I.R., the petitioner having remained in custody for more than 1 year and investigation in the case having concluded, the Court directs the petitioner to be enlarged on bail in connection with Obra P.S. Case no.71 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Aurangabad.

(Partha Sarthy, J)

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