

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63729 of 2021

Arising Out of PS. Case No.-44 Year-2021 Thana- DUMARIAGHAT District- East
Champaran

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CHUNNU PASWAN S/o- Heera Paswan Resident of Village- Rajwara, P.S.-
Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 16-05-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 307, 392, 394 and 379 of the Indian Penal Code and section 27 of the Arm Act.

As per the prosecution case, three accused persons on the point of pistol are said to have robbed the informant of 585 litres of diesel worth Rs. 51,123.15. The informant states that he can identify the accused persons on seeing them again.

It is submitted by learned counsel for the petitioner that the FIR was registered against three unknown. The name of the petitioner transpired in the confessional statement of a co-accused made before police which is inadmissible. No incriminating article has been recovered from the petitioner's possession. In spite of the petitioner being in custody since



8.7.2021 and the informant categorically stating in the FIR that he can identify the accused persons on seeing them again, the petitioner has not been put on T.I. Parade. Charge sheet has been submitted in the case.

It is submitted by learned counsel for the petitioner that a typographical error has occurred in paragraph no. 1 and prayer portion of the petition wherein the police station has been wrongly described as 'Dumaria' in place of 'Dumaria Ghat' and section 27 of the Arms act has not been mentioned.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner having remained in custody for 10 months and investigation in the case having concluded without putting the petitioner on T.I. Parade, the Court directs the petitioner to be enlarged on bail in connection with Dumaria Ghat P.S. Case no. 44 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 the learned Chief Judicial Magistrate, East Champaran, Motihari.

(Partha Sarthy, J)

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