

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65110 of 2021**

Arising Out of PS. Case No.-99 Year-2021 Thana- MUSRIGHRARI District- Samastipur

VICKY PASWAN Son of Suresh Paswan Resident of Village - Raipur, Ward
No.- 9, P.S.- Ujiarpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh, Adv
For the Opposite Party/s : Mr.Raj Kishore Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 11-04-2022 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Informant is the father of the deceased who in his written complaint has alleged that on 10.08.2021 at about 5:00 pm, his nephew came running and informed him that his son Raju Bhaiya has suffered fire arm injury and on receipt of said information he went to the place of occurrence and found that his son is lying dead and 2 empty cartridges were found and thereafter villagers assembled and police came and dead body of his son was taken for post mortem. The villagers assembled told him that three miscreants on one motorcycle came and fired upon his son as a result of which he died on the spot. The



incident is of 10.08.2021, however, written complaint against unknown accused was filed on 13.08.2021. The Informant further filed an application before the Officer-in-charge of police station in which he has stated that from confidential sources he came to know that his son has been killed by Mani Kant Singh hatching conspiracy with Chandan Kumar, Suraj Kumar Singh and Md. Aamir, who came on motorcycle and it is further alleged that Suraj Kumar Singh and Md. Aamir fired upon his son and on another motorcycle two miscreants were also keeping watch.

The only allegation made against the petitioner is that he was driving the SCORPIO vehicle of Md. Aamir and dropped assailants at Barbatta bazar.

Learned counsel for the petitioner submits that he is innocent and has been falsely implicated in this case due to animosity. The petitioner is neither named in the FIR nor there is any specific over act alleged against him. Petitioner has got no criminal antecedent and is in custody since 27.08.2021.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the



case is pending, in connection with **Musarigharari P.S. Case No. 99 of 2021**, with following conditions:-

(1) Both the bailors shall be the resident of territorial jurisdiction of the learned court-below.

(2) The petitioner shall fully cooperate with the investigation / trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(S. Kumar, J)

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