

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3182 of 2023

Arising Out of PS. Case No.-23 Year-2016 Thana- SIKRAUL District- Buxar

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DASHRATH PASWAN Son of Late Sheo Bacchan Ram R/v- Bardiha, P.S.-
Charpokhari, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 06-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 302 and 34 of the
Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner along with others
is of indiscriminating firing upon the father of the informant,
due to which he succumbed to injury.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case due to
dirty village politics. He has committed no offence. Petitioner is
not named in the FIR. The name of the petitioner has come into
light, on the basis of confessional statement of co-accused Raj
Kumar Ram, which has got no evidentiary value in the eyes of



law. There is specific allegation of firing is against co-accused Upendra Sahwadi and Shambhu Prasad Singh, who shot fired on the deceased. There is no specific overt act against the petitioner of firing. He further submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 15.01.2018 passed in Cr. Misc. No. 50807 of 2017. The petitioner has been remanded in this case on 12.09.2022 and since then he is languishing in judicial custody.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-4th, Buxar in connection with Sikraul P.S. Case No. 23 of 2016.

(Sunil Kumar Panwar, J)

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