

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6850 of 2023

Arising Out of PS. Case No.-118 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

Upendra Paswan Son Of Late Ramkisun Paswan Resident Of Village -
Husepur Dobandha, P.S.- Sahebganj, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Jyotsna Rani Mishra

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Sahebganj P.S. Case No. 118 of 2020 registered under sections 399 and 402 of the Indian Penal Code and Sections 25(1-b)/a/26/35 of the Arms Act.

Prosecution case relates to recovery of two country made pistols along with two live cartridges and one mobile from the possession of the co-accused persons, namely, Raj Kumar Rai and Ravindra Sahni. Further, co-accused Raj Kumar Rai allegedly disclosed the name of the petitioner who fled from the place of occurrence.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The name of the petitioner came in the F.I.R. on the basis of confessional statement of apprehended co-accused persons, namely, Raj Kumar Rai and Ravindra Sahani before the police. It is further submitted that neither any seized weapons have been recovered from the possession of the petitioner nor he has any concern with the said weapons. He was not arrested on spot and he has been remanded in this case from Dewaria P.S. Case No. 107 of 2021. Moreover, he is languishing in judicial custody since 14.03.2022. Similarly situated other co-accused persons have already been granted bail by the different co-ordinate Bench of this Court vide Annexure-2 series of this petition.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Sahebganj P.S. Case No. 118 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 A.C.J.M. 1st,
Muzaffarpur, (West).

(Sunil Kumar Panwar, J)

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