

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16886 of 2023

Arising Out of PS. Case No.-428 Year-2019 Thana- BIDUPUR District- Vaishali

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Balwant Kumar Paswan @ Balbant Paswan @ Ballam, S/O Hiralal Paswan,
R/v- Khoksa Kalyam, P.S.- Desari, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mrs. Rita Verma, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 11-05-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant
of regular bail in connection with Bidupur P.S. Case No. 428 of
2019 dated 28.10.2019 registered for the offences punishable
u/ss 307 and 353 of the Indian Penal Code and u/s 27 of the
Arms Act.

As per the prosecution case, on seeing the police,
three miscreants boarded on a motorcycle started fleeing away.
The co-accused Dharmendra Kumar fired with pistol which hit



the shoulder of Chowkidar Deepak Kumar and they fled away. It is further alleged that three other miscreants also came on Pulsar motorcycle and started firing in which two persons namely Prakash Kumar and Namuna Kumar Singh also got injured and all the six accused persons managed to escape leaving Apache motorcycle.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. He has further submitted that the petitioner is the owner of the motorcycle which was seized at the place of occurrence. The co-accused person has already been granted bail by the Coordinate Bench of this court vide order dated 12.01.2023 passed in Cr. Misc. No. 49769 of 2022. The petitioner is accused in six other criminal cases and he is on bail in four aforesaid cases as stated in para 3 of the bail petition. The petitioner is in custody since 22.08.2022.

Learned A.P.P. for the State has vehemently opposed the prayer of bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond



of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Vaishali at Hazipur in connection with Biddupur P.S. Case No. 428 of 2019.

The application stands allowed.

(Chandra Prakash Singh, J)

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