

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.10610 of 2023**

Arising Out of PS. Case No.-18 Year-2022 Thana- SOHSARAI District- Nalanda

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DHANANJAY @ BHOPTA Son of Madhu Paswan @ Rajo Paswan Resident of Mohalla- Nayagaon Musallahpur Hat, P.S.- Pribahore, District- Patna. At present C/O- Dharambir Paswan, resident of Village- Upsawali, P.S.- Gaurichak, District- Patna

... .. 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. Narsingh Tanti

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      11-07-2023                      Heard learned counsel for the petitioner and learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 394, 302 of the Indian Penal Code.

As per prosecution case, the informant is running jeweler shop in the name of Nandlal Jewelers. It is alleged that four miscreants on two motorcycles entered the shop, looted ornaments and started opening fire upon informant's son as a result of which his son sustained injury but he died during course of treatment.

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 petitioner is not named in the FIR rather his name came into light on the basis of confessional statement of petitioner as well as other co-accused in Sohsarai P.S. case no. 61 of 2022 thereafter he was remanded in this case. Except confession, no any consistent material has come on record which shows the complicity of the petitioner in the alleged offence. There is no eye-witness of the alleged occurrence. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. Moreover, similarly situated co-accused namely, Amit Kumar has already been granted bail by a co-ordinate Bench of this Court vide order dated 18.1.2023 passed in Cr. Misc. No. 36592 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 22.3.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sohsarai P.S. Case No. 18 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with



two sureties of the like amount each to the satisfaction of  
learned Sessions Judge, Biharsharif, Nalanda.

**(Sunil Kumar Panwar, J)**

Amandeep/-

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