

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17260 of 2022

Arising Out of PS. Case No.-44 Year-2021 Thana- KATIHAR MUFFASIL District- Katihar

RUPESH PASWAN @ HABLA @ HADDA S/o Dashrath Paswan R/o- Balu
Tola, Fasiya, P.S. - Katihar (m), Distt. - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 29-03-2023 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, informant has a Customer Service Centre at Roshna market including the A.T.M. After withdrawal of Rs. 3,90,000/- he returning to Roshna market, in the way two unknown persons on a motorcycle stopped his motorcycle and then fired one shot upon the informant for which he injured and fell down on the land and later on he died. After snatching the bag of rupees they fled away from there on their motorcycle.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He submitted that the petitioner is not named in the FIR, on the basis of CCTV footage his name has come into light but in this respect, it is submitted that no one identified this petitioner. The petitioner was apprehended in another case, in which his confessional statement was recorded by the police and then he confessed his guilt thereafter, he is remanded in the present case. From the perusal of the case diary, it transpires that there is no consistent evidence, no eye-witness only on the basis of suspicion, the present case has been lodged against the petitioner. No T.I. Parade has been conducted by the prosecution. Learned counsel for the petitioner submitted that there is no possibility of concluding the trial in the near future. The petitioner is languishing in judicial custody since 29.11.2021.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Katihar Muffasil P.S. Case No. 44 of 2021 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,
Katihar.

(Sunil Kumar Panwar, J)

Arish/-
Sushma/-

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