

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19932 of 2023

Arising Out of PS. Case No.-7 Year-2022 Thana- SUPPI District- Sitamarhi

Virendra Paswan, aged about 37 years, Male, son of Ramchandra Paswan,
resident of village- Sonar (Ashogi) PS- Riga Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Suppi
PS Case No. 07 of 2022 dated 06.01.2022, giving rise to
Sessions Trial No.556 of 2022 instituted for the offence
punishable under Section 395 of the Indian Penal Code, Section
27 of the Arms Act and Section 3/4 of the Explosives Substance
Act.

3. As per prosecution case, about 25-30 unknown
persons attacked the house of the informant in the night and
made firing 2-3 rounds and also hurled bomb. When the villages
and the police reached the place of occurrence, they fled away
making firing in the air. Later on, the informant came to know
that the shop of his brother and nephew has been ransacked after



breaking the lock of the shop.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR and only on the basis of confessional statement of co-accused Jitendra Prasad, he has been made accused in this case. It is further submitted that the petitioner has been remanded in this case on 03.08.2022 from Bairgania PS Case No.44 of 2022 and since then he is in custody. Petitioner is not named in the FIR and no Test Identification Parade has been conducted till date. Learned counsel further submitted that charge-sheet has been submitted in the case and four criminal cases are pending against the petitioner. Learned counsel further submits that similarly situated co-accused, Anil Kumar, has been granted bail on 10.04.2023 by a co-ordinate Bench of this Court in Cr. Misc. No..5592 of 2023.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of 13th Additional District & Sessions Judge, Sitamarhi, in Suppi PS Case No. 07 of 2022 giving rise



to Sessions Trial No.556 of 2022, subject to the conditions (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, and (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

J. Alam/-

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