

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23414 of 2023

Arising Out of PS. Case No.-566 Year-2020 Thana- WAJIRGANJ District- Gaya

HIRDAY PASWAN @ HRIDAY PASWAN Son of Shankar Paswan R/O Krit
Nawada, PS- Chandauti Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Section 395 of the Indian Penal
Code and later on added Section 397 of the IPC.

As per prosecution case, some unknown persons
entered in the house of the informant and started assaulted with
the Butt of the gun. Thereafter, the miscreants looted golden
jewellery, documents, cash of Rs. 70,000/- and other articles



from the house of the informant and fled away.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner is not named in the FIR and the same has been lodged against unknown persons. He submitted that during investigation, the petitioner has been implicated in the present case only on the basis of confessional statement of one co-accused Anuj Paswan, which has no evidentiary value in the eyes of law. No incriminating/looted articles recovered from the conscious possession of the petitioner. No T.I. parade has been done. He further submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 12.04.2023 passed in Cr. Misc. No. 9583 of 2023. He is languishing in judicial custody since 20.03.2021.

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

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties



of the like amount each to the satisfaction of the learned
Additional Sessions Judge-1st, Gaya in connection with
Wajirganj P.S. Case No. 566 of 2020.

(Sunil Kumar Panwar, J)

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