

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31610 of 2023

Arising Out of PS. Case No.-677 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

Karan Kumar @ Karan Paswan Son Of Kamdeo Paswan R/V Baghi, P.S.
Begusarai Town, Lohiya Nagar O.P, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-06-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner is in judicial custody in connection with Begusarai Town P.S. Case No.677 of 2021 instituted under Sections 147,148,149,302 of the Indian Penal Code and section 27 of the Arms Act lodged on 07.11.2021 by the informant Hardeo Mahto.

As per the prosecution story, on 04.11.2021 an altercation took place between the informant's and accused side. Later on, the informant's son was shot dead by the petitioner and their associates.

Learned counsel for the petitioner submits that a bare perusal of the FIR would show that the petitioner has been dragged in this case as accused. It is his further submission is that the alleged occurrence is of 04.11.2021 whereas belatedly



after three days the FIR has been lodged and the reason for delay given by the informant can in no way be accepted as even nearer to the true. It is his further submission that the petitioner is a young boy and do not have criminal antecedent. The last submission is that similar situate other co-accused have been granted bail by a coordinate bench in Cr. Misc. No.35164 of 2022 (Annexure-2) to the petition.

Learned APP opposes the prayer but accept the fact that there is belated delay in lodging of the FIR and no plausible reason has been given.

Taking into account all the aforesaid facts including the fact that there is inordinate delay of three days in lodging of the FIR, the petitioner do not have criminal antecedent as some of the similar placed co-accused have since been granted bail, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Begusarai Town P.S. Case No.677 of 2021 to the satisfaction of learned Chief Judicial Magistrate, Begusarai, subject to following conditions:

- (i) one of the bailor should be the family member of



the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /-

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