

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24362 of 2023

Arising Out of PS. Case No.-126 Year-2022 Thana- BAUSI District- Araria

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Guddu Kumar Paswan @ Guddu Kumar, Son of Bechan Paswan, Resident of
village Basaity, PO-Basaity, PS-Bausi, District Araria-854312

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-05-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Bousi P.S. Case no. 126 of 2022 registered under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, it is submitted by the informant that over an altercation between the informant's brother and the four named accused persons including the petitioner herein, co-accused Mandeep Kumar Paswan started to abuse his brother and thereafter at the instigation of the other accused persons including this petitioner, Mandeep Kumar Paswan took out his pistol and shot his brother. On being taken to the hospital he was declared dead.

4. Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the case. Even as per the prosecution case in the F.I.R, the sole/main assailant of the deceased is Mandeep Kumar Paswan and not the petitioner herein. The petitioner is in custody since 24.12.2022 and charge-sheet has been submitted in the case.

5. Heard learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the F.I.R, the sole/main assailant of the deceased brother of the informant being Mandeep Kumar Paswan and not the petitioner herein, the petitioner being in custody for 4 months since 24.12.2022, charge-sheet having been submitted in the case and his not having any criminal antecedent, the petitioner is directed to be enlarged on bail in connection with Bousi P.S. Case no. 126 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria.

(Partha Sarthy, J)

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