

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32646 of 2022

Arising Out of PS. Case No.-204 Year-2020 Thana- SARMERA District- Nalanda

Banaras Paswan Son Of Late Mangal Paswan Resident Of Village-
Narsingpur, Police Station- Sarmera, District- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Chaudhary, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 17-02-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks regular bail in connection with Sarmera
P.S. Case No. 204 of 2020 registered for the offences punishable
under Sections 302, 34 of the Indian Penal Code and Section 27
of the Arms Act.

As per the prosecution, the informant alleged that a
firing clash took place between two parties wherein this
petitioner is alleged to have given command to fire upon the
other party.



The main submissions advanced by learned counsel Mr. Rajesh Kumar Chaudhary, appearing for the petitioner are that as per the FIR on the date and time of occurrence, two groups of the villagers of the informant started firing against each other and then the informant intervened to pacify that matter and as per the allegation petitioner is stated to be a member of one group but according to allegation he simply brought one country-made rifle and provided the same to his son and thereafter instigated his son to kill the persons of other group but there is no allegation of firing against this petitioner. Further submission is that altogether twenty persons were named in the FIR and the main allegation of firing is against the son of this petitioner and there is only one criminal antecedent against the petitioner in which he is on bail.

Learned APP Mr. Shailendra Kumar Singh, appearing for the State has opposed the prayer for bail.

In view of the facts, as stated above, mainly considering the petitioner's custody period and the nature of allegation appearing against him from the FIR and also taking into account the genesis of the occurrence, in the opinion of this Court the petitioner deserves to the privilege of bail. Accordingly, let the petitioner named-above be enlarged on bail



on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Sarmera P.S. Case No. 204 of 2020.

(Shailendra Singh, J.)

maynaz/-

U		T	
---	--	---	--

