

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35698 of 2023

Arising Out of PS. Case No.-794 Year-2022 Thana- GAURICHAK District- Patna

Dhiraj Paswan, son of Ramswarth Paswan @ Swarath Das, Village- Sudiha
P.S.- Gaurichak, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 36284 of 2023

Arising Out of PS. Case No.-794 Year-2022 Thana- GAURICHAK District- Patna

1. Goomani Paswan, Son of Goohan Paswan, Village- Sudiha P.S.- Gaurichak Dist- Patna
2. Guhan Paswan, son of Rit Lal Paswan, Village- Sudiha P.S.- Gaurichak Dist- Patna
3. Bai Paswan @ Lakshman Paswan, son of Ramswarth Paswan, Village- Sudiha P.S.- Gaurichak Dist- Patna
4. Jagdish Paswan, son of Late Raghunandan Paswan, Village- Sudiha P.S.- Gaurichak Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 35698 of 2023)

For the Petitioner/s : Mr. Abhimanyu Deo, Adv.

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

(In CRIMINAL MISCELLANEOUS No. 36284 of 2023)

For the Petitioner/s : Mr. Abhimanyu Deo, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 12-07-2023 1. Both the criminal miscellaneous petitions have arisen out of the same police station case number, hence they are being heard together and disposed of by a common order.



2. Heard learned counsel for the petitioners and the learned APP for the State.

3. Petitioners seek regular bail in connection with Gaurichak P.S. Case No. 794 of 2022 dated 28.11.2022 registered for the offences punishable under Sections 302 and 120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

4. The main submissions advanced by learned counsel for the petitioners are that against all the petitioners there is no specific allegation or any specific role of any of them in the commission of the alleged occurrence of murder has not been revealed and they are simply alleged to be members of mob and the main allegation of firing is against co-accused Mani Paswan and Subodh Paswan and one similarly situated co-accused person namely Most. Gayatri Devi @ Gayatri Devi has been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No. 22082/2023.

5. Learned APP appearing for the State as well as learned counsel appearing for the informant has vehemently opposed the bail prayer of all the petitioners and submitted that against the petitioners there is serious allegation and they were involved in the murder of the victim. All the petitioners have



criminal antecedent except petitioner Dhiraj Paswan.

6. Considering the above submissions and mainly the facts that in the FIR, the main allegation of firing upon the deceased is against co-accused persons namely Mani Paswan and Subodh Paswan but any specific role of any of the petitioners has not been revealed in the FIR and they are simply stated to be the members of the mob and one co-accused named-above is on bail, in my opinion it is a fit case for bail to the petitioners. Accordingly, let all the petitioners named-above be enlarged on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Gaurichak P.S. Case No. 794 of 2022.

(Shailendra Singh, J)

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