

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39748 of 2022

Arising Out of PS. Case No.-48 Year-2022 Thana- BABUBARHI District- Madhubani

Rahul Kumar Paswan Son Of Sigul Paswan Resident Of Village - Belmohan,
Police Station- Phulparas, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 39924 of 2022

Arising Out of PS. Case No.-48 Year-2022 Thana- BABUBARHI District- Madhubani

Durgesh Kumar Paswan S/O Baidhanath Paswan R/O Village- Belmohan,
P.S.- Phulparas, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 39748 of 2022)

For the Petitioner/s : Mr.Anant Kumar Bhaskar

For the Opposite Party/s : Mr.A.G

(In CRIMINAL MISCELLANEOUS No. 39924 of 2022)

For the Petitioner/s : Mr.Anant Kumar Bhaskar

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

12 26-06-2023 Heard learned counsel for the petitioners and

learned A.P.P appearing on behalf of the State.

The petitioners are languishing in custody in a

case registered for the offences punishable under

Sections 395, 397 of the Indian Penal Code, Section 27



of the Arms Act and Section 3/4 of the Explosive Substances Act.

The prosecution case as per F.I.R is that 10-12 unknown persons armed with iron rod, Chheni, Hathauri, country made riffle entered into the house of the informant and committed dacoity by looting golden jewellery and mobile containing sims and in course of robbery, they also attacked the informant and other family members.

It is submitted by learned counsel for the petitioners that petitioners are innocent and they have falsely been implicated in this case. The petitioners are not named in the F.I.R and they have falsely been implicated in this case on the basis of confessional statement of the co-accused Shashi Paswan. Nothing has been recovered from the conscious possession of the petitioners. The petitioners were also not apprehended from the spot. The petitioners have still not been put on T.I.P. The petitioners are languishing in custody since



17.03.2022.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioners.

Considering the facts aforesaid and the period under custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani in connection with Babubarhi P.S. Case No. 48 of 2022.

(Sunil Kumar Panwar, J)

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