

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41454 of 2023

Arising Out of PS. Case No.-3 Year-2023 Thana- SAUR BAZAR District- Saharsa

Mukesh Paswan S/O Chandeshwari Paswan R/O Village- Bardaha, P.S-
Gheladh, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-08-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 120B, of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the allegation against the accused persons including the petitioner is that they boarded on a motorcycle came and tried to abduct son of the informant and when he protested to so, they fired upon his son due to which his son sustained gunshot injury and died on the spot.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. The informant is not an eye witness of the alleged occurrence and no specific allegation of shot firing levelled against the petitioner It is further submitted that except suspicion no consistent material has come out against the petitioner. Moreover, he is languishing in judicial custody since 03.01.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Saubazar (Bajnathpur) P.S. Case No. 03 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I, Saharsa.

(Sunil Kumar Panwar, J)

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