

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.60758 of 2021

Arising Out of PS. Case No.-817 Year-2020 Thana- BIHTA District- Patna

Bhutan Paswan Son Of Late Akshay Paswan Resident Of Village - Parari,
P.O.- Tara Nagar (Bihta) - 801103, P.S.- Bihta, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.K.M.Joseph

For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-01-2023 Heard learned counsel for the petitioner and

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

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 307, 392 of the Indian Penal Code and Section

27 of the Arms Act.

The prosecution case as per F.I.R is that on the

alleged date of occurrence, when his son was coming to

the house after closing his shop, then unknown criminals

riding on a motorcycle had shot at him in the way and

fled away after taking his bag having rupees two lakhs

cash.

It is submitted by learned counsel for the



petitioner that petitioner is innocent and he has falsely been implicated in this case. The petitioner was not named in the F.I.R and his name subsequently sprang up on the confessional statement of co-accused Bhola Sao. The petitioner and the informant belong to the same village, hence, not naming the petitioner in the F.I.R creates doubt about the authenticity of the prosecution version. The petitioner is languishing in custody since 01.12.2020.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur in connection with Bihta P.S. Case No. 817 of 2020.

(Sunil Kumar Panwar, J)

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