

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52073 of 2023

Arising Out of PS. Case No.-243 Year-2021 Thana- PAKRIDAYAL District- East Champaran

Bhola Paswan @ Suraj Paswan S/O Surendra Paswan R/O Village- Ramban,
P.S- Pakaridayal, Distt.- East Champaran.

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 08-09-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

2. Let the defect(s), if any, be removed within a period of
four weeks from today.

3. The petitioner seeks bail in connection with
Pakaridayal P.S. Case No. 243 of 2021 registered for the offence
under Sections 302/120-B, 307/34 of the Indian Penal Code and
under Section 27 of the Arms Act.

4. The accused/petitioner is not named in the F.I.R.
and is in custody since 19.06.2023.

5. The allegation against the petitioner is to commit
murder of son of informant alongwith named co-accused
persons by causing firearms injuries.

6. Learned counsel appearing on behalf of the



petitioner submitted that the name of petitioner surfaced in present case out of confessional statement of co-accused Dharichhan Sahani during the course of investigation, where in furtherance of no incriminating material recovered/surfaced as to connect petitioner with present occurrence of murder. It is pointed out that said Dharichhan Sahani has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 30012 of 2022 vide order dated 09.02.2023. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

7. Learned APP opposes the prayer of bail.

8. Considering the facts and circumstances as mentioned above and by taking note of the fact as save and except suspicion arises out of confession of co-accused Dharichhan Sahani, nothing incriminating appears against this petitioner coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 19.06.2023, accordingly, above named petitioner is directed to be released on bail in connection with Pakaridayal P.S. Case No. 243 of



2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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