

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58263 of 2022

Arising Out of PS. Case No.-83 Year-2022 Thana- CHAUTHAM District- Khagaria

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Mritunjay Paswan @ Mritunjay Kumar Paswan S/o Shri Suvalal Paswan @
Suaalal Paswan R/o village- Saraiya (Kaithi), P.S.- Chautham, District-
Khagaria (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bishweshwar Ram, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 307, 504 and 506 of the Indian Penal Code, Section 27 of the Arms Act and Section 3/4 of the Dowry Prohibition Act.

According to prosecution case, the sister-in-law of the informant received a phone call from his brother's son-in-law who demanded replacement of the motorcycle given to him in marriage from a bullet motorcycle with Rs. 1,00,000/- cash, otherwise to bring back the informant's niece. It is further alleged that when they visited the house of the petitioner, he came and opened fire on the informant due to which he



sustained bullet injury in his leg and he fell down.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that as per the allegation alleged in the F.I.R., the petitioner has fired upon the informant. He further submits that the informant was examined by the doctor of Sadar Hospital, Khagaria and as per the injury report, the nature of injury is simple in nature. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 07.05.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Chautham P.S. Case No. 83 of 2022, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present



as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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