

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55374 of 2022

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

SHASHI PASWAN S/O HIRA PASWAN Resident of village- Bel Mohan,
P.S.- Phulparas, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 26-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case instituted for the offence under Sections 395 and 397 of the Indian Penal Code, Section 27 of the Arms Act and Section 3/4 of the Explosive Act.

3. The prosecution case as per FIR is that 10-12 unknown persons armed with iron rod, *Chenni*, *Hathauri*, country-made rifle 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.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner is not named in the FIR and



the same has been lodged against unknown persons. The name of the petitioner has come into light, on the basis of confessional statement of other co-accused. No incriminating/stolen article has been recovered from the conscious possession of the petitioner. No T.I. Parade has been done. He further submitted that the others co-accused have already been granted bail by this Bench vide order dated 26.06.2023 passed in Cr. Misc. No. 39748 of 2022 and its analogous case. He is languishing in judicial custody since 17.03.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Babubarhi P.S. Case No. 48 of 2022.

(Sunil Kumar Panwar, J)

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