

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59938 of 2023

Arising Out of PS. Case No.-264 Year-2023 Thana- ARA NAWADA District- Bhojpur

Banti Paswan @ Banti Paswaan son of Kamal Paswan @ Kamal Paswaan @
Kamal Ram Village- Bahiro Ps- Ara Nawada Dist- Bhojpur at Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 341, 323, 504, 386, 307, 427 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, three accused persons including the petitioner entered into the petrol pump with pistols and started beating the staff. When he ran to safety and entered the shop of the informant, they came there and allegation is of opening fire which broke the glass of the informant's shop. Further, they threatened the shopkeeper to delete the CCTV footage.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He



has falsely been implicated in the present case on the basis of his past antecents. General and omnibus allegation has been levelled against the petitioner. No one has received injury in this case. Similarly situated co-accused namely, Gulshan Kumar has already been enlarged on bail by another coordinate Bench of this Court vide order dated 28.08.2023 passed in Cr. Misc. No.55019 of 2023. It is also submitted that petitioner is languishing in judicial custody since 28.05.2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration 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 in connection with Ara Nawada P.S. Case No. 264 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned VIIIth Additional Sessions Judge, Bhojpur at Ara.

(Sunil Kumar Panwar, J)

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