

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60424 of 2023

Arising Out of PS. Case No.-268 Year-2021 Thana- DHAMDAHA District- Purnia

Roshan Kumar Paswan @ Roushan Kumar Paswan @ Roshan Kumar, Son Of
Late Nirmal Paswan, Resident Of Village- Itahari, P.S.- Alam Nagar, District-
Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 15-09-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
S.T. No. 507 of 2022 arising out of Dhamdaha P.S. Case No.
268 of 2021 dated 27.11.2021 registered for the offences
punishable under Sections 302/34 of the Indian Penal Code and
Section 27 of Arms Act.

3. This is second attempt of the petitioner for the
relief of regular bail after his earlier attempt for the same relief
was rejected by this court vide order dated 15.03.2023 passed in
Cr. Misc. No. 72871 of 2022 preferred by this petitioner and
now the petitioner has come again for the same relief mainly on
the ground of liberty having been granted to him in the earlier



rejection order.

4. The main submissions advanced by learned counsel for the petitioner are that the petitioner has again come for the relief of bail mainly on the ground of the liberty granted to him by this court in his earlier rejection prayer and he was granted a liberty to renew his prayer after the framing of charge and now the petitioner's trial has started and the charges have been framed upon him on 01.04.2023 and so far as the merit of the petitioner's case is concerned his name came into light in the statement of co-accused Kundan Kumar, except this there is no other material against him to connect him with the alleged occurrence of murder and the main allegation of causing firearm injury to the deceased is against co-accused Bambam Kumar Mehta @ Bambam Kumar. Further submissions is that petitioner has been languishing in jail since 27.06.2022, having fair and clean antecedent and one co-accused Ranjan Mandal @ Ranjan Kumar, whose name also came into light in the statement of co-accused Kundan Kumar has been granted bail by co-ordinate Bench of this court vide order passed in Cr. Misc. No. 19305 of 2023.

5. Learned APP appearing for the State has opposed the bail prayer.



6. Considering the above submissions, in my opinion, now the petitioner deserves to the privilege of bail. Accordingly, let the petitioner 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 concerned Court in connection with S.T. No. 507 of 2022 arising out of Dhamdaha P.S. Case No. 268 of 2021.

(Shailendra Singh, J)

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