

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59768 of 2022

Arising Out of PS. Case No.-57 Year-2021 Thana- BELCHHI District- Patna

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VIJAY PASWAN @ AJAY KUMAR S/O LATE ANANDI PASWAN
Resident of village- Masatthu, P.S.- Belchhi, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gyanendra Kumar Singh, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Belchhi P.S. Case No. 57 of 2021, registered for the offences punishable under Sections 147, 148, 149, 323, 307 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

The case of the prosecution, in brief, is that on 16.07.2022 at about 6:00 A.M. in the morning when the informant and her husband went for a walk, the accused persons including the petitioner herein had surrounded them, whereafter the co-accused person, namely, Jano Paswan had



assaulted the husband of the informant on his head with an iron katta, resulting in blood oozing out from his head, whereafter the co-accused person, namely, Shailendra Paswan had opened fire with an intention to kill the husband of the informant, however, the same did not hit the husband of the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 28.07.2022. The learned counsel for the petitioner has further submitted that as far as the petitioner is concerned, he has not been alleged to have engaged in any sort of specific overt act and in fact the co-accused person, namely, Jano Paswan, who has been alleged to have inflicted an iron katta on the head of the husband of the informant, has already been granted bail by a co-ordinate Bench of this Court vide order dated 16.12.2022, passed in Criminal Miscellaneous No. 55977 of 2022.



Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner has not been alleged to have engaged in any sort of overt act, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the petitioner, above named, is directed to 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 learned Additional Chief Judicial Magistrate, Barh, Patna in connection with Belchhi P.S. Case No. 57 of 2021.

(Mohit Kumar Shah, J)

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