

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61788 of 2022

Arising Out of PS. Case No.-183 Year-2022 Thana- SARAI RANJAN District- Samastipur

1. CHANDAN KUMAR S/O MAHENDRA PASWAN
 2. BIPIN PASWAN S/O SURESH PASWAN
- Both are R/v- Gawpur, P.S.- Sarairanjan, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Hussamuddin Azad
For the Opposite Party/s : Mr. App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 18-03-2023 Heard learned counsel for the petitioners and the
learned APP for the State.

Petitioners seek regular bail in connection with
Sarairanjan P.S. Case No. 183 of 2022 registered for the
offences punishable under Sections 302, 120(B) and 34 of the
Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution, the informant's brother
namely Shibu Paswan was shot dead by FIR named person
Virendra Paswan over previous enmity and these petitioners are
alleged to be indulged in the said crime.

The main submissions advanced by the learned
counsel for the petitioners are that the main allegation causing
firearm injuries to the deceased is against co-accused Virendra



Paswan and as per the FIR, co-accused Suresh Paswan had taken the victim to the alleged place of occurrence with him and in both the allegations, petitioners had no role and their names simply found place in the FIR and in actual there is no good relation between the co-accused Uma Devi and the prosecution party and son of said co-accused had been murdered by the deceased and his brother and thereafter on account of village politics, the petitioners have also been dragged in this case and petitioners have been languishing in jail since 12.07.2022 having fair and clean antecedent and similarly situated two co-accused persons Raj Narain Paswan and Raghuni Paswan have been granted anticipatory bail by the trial court itself and case of both the petitioners stands on better footing than the said co-accused persons who are on bail.

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

In view of the facts, as stated above, and mainly considering the facts that the main allegation is against co-accused persons Virendra Paswan and Suresh Paswan and petitioners' specific role in the alleged occurrence has not been revealed in the FIR and similarly situated two co-accused persons have been granted anticipatory bail by the trial court



itself and both the petitioners have fair and clean antecedent, in the opinion of this Court a lenient approach can be taken in respect of the petitioners’ prayer, let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Sarairanjan P.S. Case No. 183 of 2022.

(Shailendra Singh, J)

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