

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75856 of 2023

Arising Out of PS. Case No.-74 Year-2023 Thana- BAKHTIYARPUR RAIL P.S. District-
Patna

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JYOTISH PASWAN @ ARYAN KUMAR S/O DINESH PASWAN @
DINESH DAS R/O VILLAGE- BUDHANI CHAK, P.S- BARH, DISTT.-
PATNA.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K., Adv.
For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 14-12-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Bakhtiyarpur Rail P.S. Case No. 74 of 2023 dated 08.05.2023 registered for the offences punishable u/ss 341, 323, 504, 336, 353 read with section 34 of the Indian Penal Code and u/s 27 of the Arms Act.

3. As per the prosecution case, the petitioner along with 10-12 miscreants are alleged to have assaulted the informant and pelted stones on him and created hindrance in discharging his duty. It is further alleged that one of the accused persons opened fire in air from a country made pistol.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner was



surfaced in this case only on the basis of suspicion. Nothing has been recovered from the possession of the petitioner and the petitioner has no concern with the alleged offence. The co-accused persons have already been granted bail by the Coordinate Bench of this court vide order dated 03.11.2023 passed in Cr. Misc. No. 67335 of 2023. The petitioner has two criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Patna in connection with Bakhtiyarpur P.S. Case No. 74 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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