

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65700 of 2023

Arising Out of PS. Case No.-259 Year-2022 Thana- PAHARPUR District- East Champaran

AWANISH SINGH @ AWANISH KUMAR SINGH S/O CHANDESHWAR
SINGH VILLAGE- BISAHI, PS. PAHARPUR, DIST. EAST CHAMPARAN
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 13-12-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial no. 743 of 2023, arising out of Paharpur P.S. Case no. 259 of 2022 registered under sections 302 and 394 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, three accused persons on a motorcycle are said to have forcibly taken the brother of the informant on their motorcycle and of having committed his murder.

4. Learned counsel for the petitioner submits that the F.I.R was registered against three unknown. Referring to the order of the learned trial Court, it is submitted that the name of the petitioner transpired in course of investigation in the confessional statement of co-accused Mantu Tiwari and Vinay



Baitha. Mantu Tiwari has been enlarged on bail vide order dated 28.4.2023 passed in Cr. Misc. no. 15702 of 2023. Inspite of being in custody since 16.6.2023, the petitioner has not been put on T.I parade, no incriminating article has been recovered from his possession and charge-sheet has been submitted in the case.

5. The prayer for bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the FIR, the material that has transpired against the petitioner in course of investigation, Mantu Tiwari having taken the name of the petitioner, grant of bail to the said Mantu Tiwari, the petitioner not having been put on T.I parade and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Sessions Trial no. 743 of 2023 (arising out of Paharpur P.S. Case no. 259 of 2022) 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 Additional Sessions Judge- XIX, East Champaran at Motihari.

(Partha Sarthy, J)

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