

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66645 of 2023

Arising Out of PS. Case No.-135 Year-2023 Thana- BUXAR District- Buxar

SANJAY RAWAT SON OF GOWIND RAM @ GOVIND RAWAT,
RESIDENT OF NEHRU NAGAR, P.S.-BUXAR (TOWN), DISTRICT-
BUXAR, BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Mishra, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Buxar (Town) P.S. Case no.135 of 2023 registered under sections 307, 323, 341, 120B and 34 of the Indian Penal Code and sections 25(1-B)(a), 26, 27 and 35 of the Arms Act to which section 302 of the Indian Penal Code has been added subsequently.

3. As per the prosecution case, it is stated that the accused persons including the petitioner herein came variously armed and as a result of firing resorted to by Raja Paswan and Ajay Paswan, the informant's brother sustained gunshot injuries and subsequently died.

4. Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the case. Even as per the allegation in the F.I.R. although he is named amongst the accused persons but no overt act is alleged against him. The petitioner is in custody since 9.3.2023 and chargesheet has been submitted in the case.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R. wherein Raja Paswan and Ajay Paswan are named assailants as per the informant, no overt act having been alleged against this petitioner who is in custody since 9.3.2023 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Buxar (Town) P.S. Case no.135 of 2023 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 C.J.M., Buxar.

(Partha Sarthy, J)

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