

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67768 of 2022

Arising Out of PS. Case No.-23 Year-2022 Thana- INARWA District- West Champaran

AWADHESH PASWAN SON OF LATE BABURAM PASWAN R/O
VILLAGE- BARWA PARSAUNI, P.S.- INARWA, DISTRICT- WEST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 18-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Inarwa P.S. Case No. 23 of 2022 registered for the offences punishable under Sections 147, 148, 149, 302, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation is that while the informant alongwith his brother, nephew and others were sitting at their house, the accused persons including the petitioner herein had arrived there, whereafter the co-accused person, namely, Awadesh Paswan had caught hold of the brother of the informant, whereupon the co-accused persons,



namely, Sadhu Paswan and Lalu Paswan had inflicted sword blows on the right and left leg of the brother of the informant resulting in blood vessel being cut and him being inflicted with grievous injuries. It is further alleged that, thereafter, the co-accused person, namely, Ravi Paswan had fired gunshots on the right side of the chest of the brother of the informant resulting in his death.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 24.05.2022. The learned counsel for the petitioner has further submitted that the petitioner is an accused in one another criminal case in which he is on bail. Lastly, it is submitted by the learned counsel for the petitioner that the petitioner has not been alleged to have either assaulted the deceased or the informant or his family members.

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 those available in the case diary, this Court finds that *prima facie* petitioner is not having any complicity in the matter and in fact he has not been alleged to have either fired gun shots on the deceased or assaulted anyone, hence, 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 Judicial Magistrate-1st Class, West Champaran in connection with Inarwa P.S. Case No. 23 of 2022.

(Mohit Kumar Shah, J)

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