

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68694 of 2023

Arising Out of PS. Case No.-264 Year-2023 Thana- ARA NAWADA District- Bhojpur

Aman Paswan S/O Pardosh Paswan R/O Village- Bahiro, P.S- Ara Nawada,
Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mr. Pushpa Sinha. 1, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
S.Tr. No. 398 of 2023 arising out of Ara Nawada P.S. Case No.
264 of 2023 dated 21.04.2023, lodged under Sections 341, 323,
504, 386, 307, 427, 34 of the I.P.C. read with Section 27 of the
Arms Act.

3. As per the prosecution case, the F.I.R. has been
lodged against three named accused persons against whom, the
allegation of brutally assault and firing by pistol upon the staff
of petrol pump. The allegation is also there to damage the glass
of the shop of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel

submits that the antecedent of the petitioner is clean and he is in custody since 11.06.2023. Counsel further submits that the two accused persons having same allegation have been granted bail by the Co-ordinate Bench of this Court vide order dated 28.08.2023 & 08.09.2023 passed in Cr. Misc. No. 55019 of 2023 & Cr. Misc. No. 59938 of 2023 respectively.

5. Learned A.P.P. for the State opposes the prayer for bail and submits that every action done by them has been done in connivance with each other.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail only after framing of charge on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of learned A.D.J.- VIIIth, Bhojpur at Ara in connection with S.Tr. No. 398 of 2023 arising out of Ara Nawada P.S. Case No. 264 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

7. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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