

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70204 of 2023

Arising Out of PS. Case No.-403 Year-2023 Thana- BAHADURPUR District- Darbhanga

Abhinash Maliya @ Abhinash Paswan Son Of Arun Paswan @ Arun Kumar
Paswan Village -Kabirchak Posanpura, Ps- Sadar, District -Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidya Nath Prasad

For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under section 307 of the Indian Penal Code and sections 25(1-b)a, 27 and 35 of the Arms Act.

As per allegation in the FIR, while the informant was at his house, three named accused persons including the petitioner and 15-20 unknown persons entered into his house and on order of co-accused Vishal Kumar, other accused person opened fire but bullet passed close to the ear of the informant without harming him.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner has been falsely implicated in this case due to previous enmity. No one has received injury so



section 307 IPC is not made out against the petitioner. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. Petitioner is languishing in judicial custody since 12.8.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Darbhanga in connection with Bahadurpur P.S. Case No. 403 of 2023.

(Sunil Kumar Panwar, J)

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