

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1078 of 2023

Arising Out of PS. Case No.-311 Year-2022 Thana- NAGAR District- Vaishali

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Ganour Ram @ Ganaur Paswan @ Virendra Paswan Son Of Raj Kumar
Paswan R/O Mohalla- Sahjadpur Under Kila, Nakhas Chowk, P.S.- Hajipur
Town, District- Vaishali At Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Chandra

For the Opposite Party/s : Mr. Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 29-04-2023 Heard Ld. counsel for the petitioner and Ld. APP

for the State.

The petitioner seeks bail in connection with Hajipur
Nagar P.S. Case No.311 of 2022, registered for the
offences punishable under Sections 394 of the Indian Penal
Code and added section 27 of the Arms Act.

The prosecution case as emerges from the FIR is
that the on 12.04.2022, when the informant, Pramod
Yadav/ SSB Batallian No.16, Jamui was going to Hajipur
Railway Station at around 4:00 am, two unknown miscreants
stopped the tempo and snatched his mobile. Subsequently,
they opened fire when the driver of the tempo tried to catch



them. Moreover, the informant sustained an ankle injury.

Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is not named in the FIR and no T.I.P in this case has been conducted. He further submits that the name of the petitioner has transpired in the confessional statement of the co-accused.

He further submits that the petitioner has been languishing in jail since 27.09.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in one other case.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in



the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Nagar P.S. Case No.311 of 2022 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that



the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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