

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.818 of 2023

Arising Out of PS. Case No.-38 Year-2020 Thana- AMAS District- Gaya

AMIT KUMAR @ AMIT PASWAN Son of Karu Paswan @ Rajendra
Paswan R/V- Nagnuppa, P.S- Sherghati, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No. 2, Advocate
For the Opposite Party/s : Mr. Arun Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 394 and 307 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of four cases and is in custody since 11.04.2022.

The informant alleges that on 25.02.2020 at about 07:15 P.M. while he was sitting at his coal shop three persons came on a motorcycle and informed the informant that they wanted to sell four tons of coal on which the informant desired to see the coal but the accused persons started firing and assaulted him with butt of pistol and slaps thereafter they fled away with Rs.2,000/- from his possession.



Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case based on confessional statement of Ranjeet Kumar @ Golu which has no evidentiary value in the eye of law. It is further submitted that the FIR clearly records that the informant had seen the accused persons and could have identified them but then no T.I. Parade was done. Learned counsel next submits that since petitioner has antecedent, as such, the police implicated him through Ranjeet Kumar @ Golu alleging that Ranjeet Kumar @ Golu who in his confessional statement put the name of the petitioner.

At this stage, learned counsel for the petitioner submits that petitioner will cooperate in the trial and will not abscond.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the submission made by the learned counsel for the petitioner, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Amas P.S. Case



No. 38 of 2020.

One of the bailors shall be the father of the petitioner
Karu Paswan @ Rajendra Paswan.

However, in the event, if the learned trial court comes
to a conclusion that the petitioner, after his release, is trying to
delay the trial of the case in any manner the learned trial court
shall forthwith cancel the bail bonds of the petitioner after
recording reasons.

(Satyavrat Verma, J)

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