

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6794 of 2024

Arising Out of PS. Case No.-429 Year-2019 Thana- BIDUPUR District- Vaishali

Satish Paswan Son Of Jawahar Bhagat @ Jawahar Paswan Resident Of
Village - Panapur Kyam, P.S. - Bidupur, District - Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bela Singh, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Bidupur
P.S. case No. 429 of 2019 instituted for the offences under
Section 307 of the Indian Penal Code and Section 27 of the
Arms Act.

3. Prosecution case, in short, is that on alleged date
and time of occurrence when the informant was carrying 10 Kg
wheat and 20 Kg rice on his bicycle, three unknown miscreants
fired gun-shots due to which he sustained gun-shot injury on his
left leg below his knee.

4. Learned counsel for the petitioner submitted that
the petitioner has falsely been implicated in the present case



merely on suspicion. Petitioner is not named in the FIR. The name of the petitioner has been transpired on the basis of self confessional statement of the petitioner given in Hajipur P.S. Case No. 1025 of 2019. Learned counsel further submitted that except the confessional statement, no other material is available on record against this petitioner. No T.I.P. has been conducted till date. The co-accused persons have already been granted bail by the Coordinate Benches of this Court vide Cr. Misc. No. 34585 of 2023 and Cr. Misc. No. 11062 of 2023. It has been submitted on behalf of the petitioner that the petitioner has been remanded in this case from Hajipur P.S. Case No. 1052 of 2019 on 26.08.2020 and has eleven criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bidupur P.S. case



No. 429 of 2019, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner is found involved in similar nature of offence in future, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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