

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10838 of 2024

Arising Out of PS. Case No.-48 Year-2022 Thana- BABUBARHI District- Madhubani

Mithun Paswan Son Of Sigul Paswan Resident Of Village- Belmohan, Ps-
Phulparas, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hriday Narayan Harshit

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 395 and 397 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3/4 of the Explosive Act.

3. The prosecution case as per FIR is that 10-12 unknown persons armed with iron rod, *Chenni*, *Hathauri*, country made rifle entered the house of the informant and committed *dacoity* by looting golden jewellery and mobile containing sims and in course of robbery, they also attacked the informant and other family members.

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



falsely been implicated in this case. The petitioner is not named in FIR rather his name came into light in this case on the basis of confessional statement of co-accused Shashi Paswan before the police and he has already been granted bail by this Court vide order dated 26.07.2023 in Cr. Misc. No. 55374 of 2022. Nothing looted articles have been recovered from the conscious possession of the petitioner and also he has not been put on TI parade as yet. Moreover, the petitioner is languishing in judicial custody since 27.07.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Babubarhi P.S. Case No. 48 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge X, Madhubani.

(Sunil Kumar Panwar, J)

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