

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20691 of 2024

Arising Out of PS. Case No.-345 Year-2023 Thana- BIBHUTIPUR District- Samastipur

Rakesh Paswan S/o Mintu Paswan R/O Bhiri Ward No-14 Ps Bibhutipur
District Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarjeet Choudhary, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

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

ORAL ORDER

2 20-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Bibhutipur P.S. Case No. 345 of 2023 instituted for the offence
under Sections 385 & 386 of the Indian Penal Code.

3. As per the prosecution case, when the informant
was marking attendance in the class room, petitioner entered
into the class armed with pistol and inquired about the
whereabouts of Mahesh Master and threatened to kill her.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 09-06-2023s. Petitioner
bears two criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that as per the allegation levelled in the FIR, there is no ingredient of Section 386 of the IPC against the petitioner. It is lastly submitted that charge sheet has already been submitted in this case.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. 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 Bibhutipur P.S. Case No. 345 of 2023.

(Rudra Prakash Mishra, J)

Raj kishore/-

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