

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29131 of 2024

Arising Out of PS. Case No.-305 Year-2023 Thana- SOHSARAI District- Nalanda

Laxman Paswan, aged about 23 years, Gender-Male, son of Shahdev Paswan,
R/O Village- Sherpur, P.S.- Asthawan, Dist- Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Pramod Kumar Sinha, Advocate

For the Opposite Party : Mr. Shailendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 26-07-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Sohsarai P.S. Case No. 305 of 2023 dated 30.10.2023 registered for the offence punishable under Section 395 of the I.P.C.

3. As per the prosecution case, on 30.10.2023 at 1.05 P.M., the informant was at his shop, suddenly, a boy came there and demanded money and pointed pistol on his chest. In the meantime, four boys came there armed with weapons and pointed pistol on the labourers and told to keep silence and took out Rs. 25,000/- in cash from the cash box, gold kada, two pieces of gold ring, gold chain from his neck, three mobiles and



D.V.R. of Camera and started to go then one of them told Vikash to take his Bullet. Thereafter they fled away from there with two Pulsar Motorcycles.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. His name has sprung up in the present case on the basis of the confessional statement of the co-accused Sonu Kumar which has got no evidentiary value in the eye of law. No incriminating article has been recovered from possession of the petitioner. The other co-accused Mritunjay Kumar @ Radhe, has already been granted bail by a Bench of this Court vide Cr. Misc. No. 33532 of 2024 under order dated 09.05.2024. The petitioner has one criminal antecedent in which he is on bail as stated in paragraph no. 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like



amount each to the satisfaction of learned C.J.M. Nalanda at Biharsharif in connection with Sohsarai P.S. Case No. 305 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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