

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53722 of 2024

Arising Out of PS. Case No.-490 Year-2023 Thana- DALSINGHSARAI District- Samastipur

Raju Paswan S/o Late Deo Narain Paswan R/o vill - Loknathpur Belbanna,
ward no. 24, Under Nagar Parishad Dalsingsarai, P.S. - Dalsingsarai, Distt. -
Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Surya Narayan Roy, Advocate

For the Opposite Party/s : Mr.Uday Chand Prasad, A.P.P.

Mr. Piyush Anand, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-12-2024 Heard learned counsel for the petitioner, the State and
the informant.

2. The petitioner seeks regular bail in a case registered
for the offence punishable under sections 307, 379, 302/34 and
other allied sections of the Indian Penal Code and section 27 of
the Arms Act.

3. As per the prosecution case, all the FIR named
accused persons including this petitioner made indiscriminate
firing on the house of the informant due to which informant's
son died on the spot, whereas one Krishnamurti Rai sustained
injuries. Accused persons also assaulted female members of the
house and looted gold and silver ornaments and cash
Rs.50,000/- from the house.

4. Learned counsel appearing for the petitioner



submits that from perusal of the FIR it is clear that the petitioner was having no fire arms at the time of firing and no overt act has been alleged against him. Moreover, due to land dispute, occurrence has taken place in the field, but informant has filed this false and concocted case showing the place of occurrence at his house. Charge sheet has already been filed. Petitioner is in custody since 9.1.2024.

5. Learned counsel for the State and informant oppose the prayer for bail.

6. Considering the aforesaid facts of the case, prayer for regular bail of the petitioner is allowed. Let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate I, Dalsingsarai, Samastipur in Dalsingsarai Police Station Case No. 490 of 2023.

(Prabhat Kumar Singh, J)

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