

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58608 of 2024

Arising Out of PS. Case No.-437 Year-2022 Thana- ARA NAGAR District- Bhojpur

Vishwajeet Paswan @ Vishwajeet Kumar S/O Manoj Paswan R/O Village- Sri Tola, P.S- Ara Nawada, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate
	:	Ms. Vaishnavi Singh, Advocate
For the Opposite Party/s	:	Mr. Dilip Kr. No. 1, APP
For the Informant	:	Mr. Gopal Govind Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 25-10-2024 Heard learned counsel for the petitioner, learned counsel for the informant and Mr. Dilip Kr. No. 1, learned A.P.P. for the State.

2. The petitioner seeks bail in connection with a case registered for the offence punishable u/s 307, 384, 385/34 of IPC and Section 27 of Arms Act.

3. As per allegation, the petitioner along with other co-accused persons assaulted the informant due to land dispute.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. No offence as alleged has ever taken place. He has been falsely implicated in this case. No incriminating article has been recovered from the conscious physical possession of the petitioner. He was not apprehended on the spot and he has been made accused in this case because there is land dispute between



the parties. It is submitted there is no injury on any side in this case. The petitioner has 11 criminal antecedent and he is under custody since 04.01.2024.

5. Learned APP for the State and learned counsel for the informant opposed the prayer for bail.

6. Considering the facts and circumstances of this case, period of custody and the fact that there is no injury on either side, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/the Successor Court, in connection with Ara Nagar P.S. Case No. 437 of 2022 with the following conditions:-

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(3) The petitioner shall remain physically present in the



court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(5) The petitioner shall appear before the Police Station of his local area in the first week of each month till the disposal of the present case.

(Anjani Kumar Sharan, J)

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