

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1507 of 2023

Arising Out of PS. Case No.-61 Year-2022 Thana- BASOPATTI District- Madhubani

SHASHI KUMAR PASWAN Son of Heeralal Paswan R/V- Belmohan, P.S-
Phulparas, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Soban Asghar

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-01-2024 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, 397 of the Indian Penal Code, section 3/4 of the Explosive Act and Section 27 of Arms Act.

3. As per prosecution case, some unknown miscreants committed *dacoity* in the house of the informant and they badly assaulted the son of the informant with sharp edged weapons on hi head. They took cash and other articles from house of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR. One co-accused Rahul



Paswan was arrested in Babubarhi P.S. Case No. 48 of 2022 from whose possession, one robbed mobile of the informant's daughter-in-law was recovered. Co-accused Rahul Paswan disclosed the name of the petitioner as his associate in confessional statement. No any stolen or incriminating article has been recovered from this petitioner. It is further submitted that the petitioner is languishing in judicial custody since 7.6.2022. Similarly situated co-accused Durgesh Paswan was already enlarged on bail granted by co-ordinate Bench of Court vide order dt. 22.3.2023 passed in Cr. Misc. 56929 of 2022.

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

6. Considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Basopatti P.S. Case No. 61 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 J.M 1st Class, Madhubani.

(Sunil Kumar Panwar, J)

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