

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78226 of 2023**

Arising Out of PS. Case No.-557 Year-2022 Thana- DIGHA District- Patna

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NIRAJ PASWAN @ NIRAJ KUMAR SON OF MADAN KUMAR @  
MADAN PASWAN R/O VILLAGE- POLSON ROAD, DHUSUK TOLA,  
P.S.- DIGHA, DIST.- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay

For the Opposite Party/s : Mr.Bharat Bhushan

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      15-01-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for bail in a case registered  
for the offence punishable under Sections 307, 379 and 34 of the  
Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, the petitioner along with  
other accused persons is alleged to have fired upon the informant  
as a result of which informant's neighbour sustained gunshot  
injury. It is further alleged that the accused persons also took away  
the bullet motorcycle and Rs. Two lakh of the informant.

4. Learned counsel appearing on behalf of the petitioner  
has submitted that petitioner is innocent and has committed no  
offence. He has been falsely implicated in this case. General and  
omnibus allegations have been levelled against the accused



persons including the petitioner and there is no specific allegation of any assault or overt act attributed against the petitioner. No any incriminating article has been recovered from his conscious possession. Charge sheet has been submitted against the petitioner. As far as the injury of the injured is concerned, is simple in nature. The other co-accused persons have already been granted bail by another co-ordinate Bench of this Court vide order dated 01.08.2023 passed in Cr. Misc. No. 38806 of 2023. Petitioner has surrendered on 02.08.2023 and since then he is languishing in judicial custody.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-XIII, Patna in connection with Digha P.S. Case No.557 of 2022.

**(Sunil Kumar Panwar, J)**

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