

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83355 of 2023

Arising Out of PS. Case No.-10 Year-2020 Thana- ALINAGAR District- Darbhanga

Heera Paswan @ Kapachi Paswan, Son of Late Suresh Paswan, Resident of
Village- Lohani, P.S. - Biraul, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 10-01-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Alinagar P.S. Case no. 10 of 2020, registered under sections 457, 380, 411, 429 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that on theft being committed by unknown accused persons, she raised *halla* on which people gathered and on chase being given four accused persons were arrested while some managed to escape. The arrested accused persons disclosed the name of the three accused who had managed to escape and which included the petitioner herein.

4. Learned counsel for the petitioner submits that from the F.I.R itself it would be evident that neither the



petitioner was arrested at the spot nor any incriminating article was recovered from his possession. The cause of false implication of the petitioner is his antecedents. He is in custody since 4.7.2023 and charge-sheet has been submitted in the case.

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

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the FIR, the petitioner not having been arrested at the spot, his being in custody for more than 6 months since 4.7.2023 and the charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Alinagar P.S. Case no. 10 of 2020, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M, Benipur, Darbhanga.

(Partha Sarthy, J)

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