

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1173 of 2024

Arising Out of PS. Case No.-301 Year-2021 Thana- OBRA District- Aurangabad

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Vinay Paswan Son of Late Ramdev Paswan Resident Of Village- Bharub,
P.S.- Obra, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Leelawati Kumari

For the Opposite Party/s : Mrs. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 10-05-2024 Heard Mrs. Leelawati Kumari, learned counsel for

the petitioner and Mrs. Asha Kumari, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
15.06.2023, in connection with Obra P.S. Case No. 301 of 2021,
F.I.R. dated 27.11.2021 registered for the offences punishable
under Sections 341, 323, 504, 307, 506, 34 of the Indian Penal
Code and Section 27 of the Arms Act, 1959.

3. Allegation against the petitioner is that he along
with other co-accused persons came armed with katta, started
abusing and assaulted the informant and fired upon the
informant with an intention to kill.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the



present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that from perusal of the F.I.R. it appears that there is specific allegation of firing attributed against co-accused person namely Deen Bandhu Paswan @ Dinbandhu Paswan and he has been granted the privilege of anticipatory bail by this Court vide order dated 13.12.2022 passed in Cr. Misc. No. 25955 of 2022, another co-accused persons namely Arun Kumar @ Arun Paswan and others have been granted the privilege of anticipatory bail by this Court vide order dated 01.11.2022 passed in Cr. Misc. No. 26365 of 2022 and also Rohit Kumar has been granted the privilege of anticipatory bail by this Court vide order dated 09.11.2022 passed in Cr. Misc. No. 29964 of 2022 respectively. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 15.06.2023.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the F.I.R. and apart from that the petitioner carries five more cases other than the present one.



6. Considering the aforesaid facts that there is no specific allegation against the petitioner and other co-accused persons against whom the similar allegation has been granted the privilege of anticipatory bail by this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Obra P.S. Case No. 301 of 2021, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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