

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86400 of 2024

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

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Anirudh Paswan S/O Naresh Paswan Resident of Village- Lohani, PS- Biraul,
District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-12-2024

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 the petitioner was neither arrested at the spot nor any incriminating



article recovered from his possession. The cause of false implication of the petitioner is his antecedents. He is in custody since 19.1.2024 and charge-sheet has been submitted in the case. The case of the petitioner stands on a similar footing to that of co-accused Heera Paswan who has been enlarged on bail vide order dated 10.1.2024 passed in Cr. Misc. no. 83355 of 2023.

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 allegations in the FIR, the petitioner not having been arrested at the spot, no incriminating article having been recovered from his possession, his being in custody for more than 10 months since 19.1.2024 and grant of bail to similarly situated co-accused vide aforesaid order dated 10.1.2024, 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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