

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6482 of 2024

Arising Out of PS. Case No.-237 Year-2022 Thana- KAKO District- Jehanabad

Naulesh Paswan Son Of Kapildeo Paswan @ Azad R/O Village-Dersaiya, Ps-
Kako, Distt- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Anand, Advocate

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 08-05-2024 Heard learned counsel for the petitioner, learned APP
for the State and perused the case diary.

2. The petitioner seeks bail in connection with Kako
P.S. case No. 237 of 2022 instituted for the offences under
Sections 341, 323, 326, 307 of the Indian Penal Code and
Section 27 of the Arms Act.

3. Prosecution case, in short, is that on the alleged date
and time of occurrence, when the informant along with some
other persons was erecting *pandaal* for installment of Goddess
Lakshmi. In the meantime, the petitioner, armed with pistol,
reached at the place of occurrence and opened fire upon the
Lavkush Kumar and the informant due to which they sustained
injuries.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel further submitted that there is no eye-witness to the occurrence rather there is only hearsay evidence against the petitioner. Learned counsel further submitted that, as a matter of fact, the petitioner was not present at the place of occurrence on the alleged date and time. He further submitted that there is no recovery of any shell of bullet from the place of occurrence. Charge-sheet has been submitted in this case and charge has also been framed against the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 01.12.2022 and has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that the prosecution case is fully supported by the injury reports of the injured persons.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Kako P.S. case No. 237 of 2022, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

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

(IV) If the petitioner is found involved in similar nature of offence in future, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

