

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69387 of 2024

Arising Out of PS. Case No.-11 Year-2007 Thana- BARACHATTI District- Gaya

Shiv Kumar Paswan @ Sheo Kumar Paswan Son of Late Jago Paswan R/O
Vill.- Langura Kala, P.S.- Mohanpur O.P., Dist.- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The State of Bihar Advocate General

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh
For the Opposite Party/s : Ms. Anita Kumari

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 18-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302 and 34 of the Indian Penal Code, Section 27 of the Arms Act and Section 17 of the CLA Act.

3. The case of the prosecution is that the informant was going towards his village and in the meanwhile, 40-45 *Maoist* arrived there. It is alleged that nine persons excluding this petitioner started firing due to which the uncle of the informant and co-villager namely, Birendra Yadav fell down there, both have died.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has got no criminal



antecedent. It is also submitted that there is name of 40 persons in the FIR but name of this petitioner has been added from different pen which looks like super addition. From perusal of the FIR, it is clear that there is no overt act against this petitioner. It is further submitted that the petitioner is languishing in judicial custody since 05.06.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Barachatti (Mohanpur O.P.) P.S. Case No. 11 of 2007 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sherghati. Gaya.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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