

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77979 of 2024

Arising Out of PS. Case No.-228 Year-2022 Thana- KARAKAT District- Rohtas

Vijay Paswan @ Komal Paswan son of Late Bhola Paswan Village- Baruna,
Ps- Bikramganj, Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhimsen Upadhyay

For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 17-01-2025 Heard the parties.

2. The petitioner seeks bail in connection with Karakat P.S. Case No. 228 of 2022 registered for the offence under Sections 147, 148, 149, 341, 323, 504, 324 and 302 of the Indian Penal Code and 27 of the Arms Act.

3. The accused/petitioner is named in the F.I.R. and is in custody since 21.05.2024.

4. The allegation against the petitioner is to commit the murder of the brother-in-law (*devar*) of the informant by causing firearm injuries, where occurrence arises out of previous enmities due to land disputes.

5. Learned counsel appearing on behalf of the



petitioner submitted that the allegation of firing is very much general and omnibus against this petitioner as same is also raised against other three co-accused persons out of which co-accused, namely Pappu Paswan, has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 37038 of 2023 vide order dated 07.07.2023. It is submitted by learned counsel that the informant is the eye witness of the occurrence where he alleged specifically that the petitioner was equipped with *garasa* whereas as per the *post-mortem* report, the deceased died due to fire arms injury, which makes allegation doubtful on its face. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP duly assisted by learned counsel appearing on behalf of the informant, opposes the prayer



for bail.

7.In view of the facts and circumstances as mentioned above and by taking note of the fact as allegation of firing is very much general and omnibus coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 21.05.2024, accordingly, petitioner, above named, is directed to be released on bail in connection with Karakat P.S. Case No.228 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge III, Rohtas at Sasaram/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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