

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31610 of 2015

Arising Out of PS.Case No. -64 Year- 2014 Thana -MAGADH MEDICAL COLLEGE District-
GAYA

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1. Ramprit Paswan son of Late Bishun Paswan, resident of village- Kusarhi,
Police Station- Magadh Medical and District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Narendra Kr.Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 30-11-2015 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 302 and 34 of the I.P.C

Allegedly, on 04.04.2014 at about 6 P.M. Vikash
Kumar, son of the informant, had gone to take prasad of Chhath
but he did not return and later on his dead body was found on the
bank of Jamune river. It is alleged that due to land dispute the
petitioner and co-accused have caused threats to finish them and
they killed the son of the informant by cutting his neck.

Submission is of false implication and that besides
suspicion due to earlier dispute there is nothing against the

petitioner. During investigation also no one has seen the petitioner committing the crime or in the company of the deceased. Similarly situated co-accused Uday Paswan has been allowed bail by another coordinate Bench of this Court vide Cr. Misc. No. 48138 of 2014 by order dated 20.02.2015 and the petitioner, aged about 75 years, is suffering in custody since 13.05.2015.

The learned A.P.P. is not in a position to distinguish the case of the petitioner from co-accused Uday Paswan.

In the facts and circumstances as stated above, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Gaya in Magadh Medical P.S. Case No. 64 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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