

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34000 of 2015

Arising Out of PS.Case No. -321 Year- 2012 Thana -BAKHTIYARPUR District- PATNA

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Ajay Paswan, Son of Sri Mital Paswan, Resident of village - Benipur, P.S.
Salimpur, District - Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Gyanendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad (App)

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

3 15-10-2015 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered for offences punishable under Sections 341, 323, 307, 302, 504/34 of the Indian Penal Code.

It is submitted on behalf of the petitioner that initially the case was registered under various sections of the Indian Penal Code including Section 307 I.P.C. but subsequently, Bakhori Paswan died due to injuries received in the occurrence, thereafter, Section 302 was added.

It is further submitted on behalf of the petitioner that there is no specific allegation against the petitioner rather the allegation is that the petitioner and four others, namely, Shankar Paswan, Mahesh Paswan, Nandu Paswan and Hiran Paswan had

collectively assaulted Bakhori Paswan with *Lathi* and *Danda*. The petitioner has remained in custody since 3.06.2015 having no criminal antecedent. It is stated that Bindu Paswan came to save his father Bakhori Paswan but he was also assaulted with *Lathi* and *Danda*, however, the said Bindu Paswan has not taken name of the petitioner specifically as would be evident from paragraph 33 of the case diary.

Having regard to the facts and circumstances of the case, the petitioner, namely, Ajay Paswan is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Barh, Patna in connection with Bakhtiyarpur P.S. Case No.321/2012, with a further condition that one of the bailors must be a close relative or family member of the petitioner who shall file affidavit before the concerned court giving complete genealogy to show his/her relationship with him.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

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