

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38598 of 2014

Arising Out of PS.Case No. -174 Year- 2013 Thana -PATEPUR District- VAISHALI(HAJIPUR)

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Awadhesh Paswan, S/o. Paltu Paswan, R/o. Village- Milki Chakasiya, P.S. Mahua, District- Vaishali, At Hajipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

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

For the Opposite Party/s : Ms. Pushpa Sinha No.2(APP)

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI
ORAL ORDER

3 20-01-2015

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Awadhesh Paswan, in connection with Patepur Police Station Case No. 174/2013, under Section 147/149/341/302 of the Indian Penal Code and Section 3(ii)(x) of the S.C/S.T. Act.

Perused the above application and materials on record.

Heard Mr. Birendra Kumar Singh, learned counsel for the petitioner, and Ms. Pushpa Sinha No. 2, learned Additional Public Prosecutor, appearing on behalf of the State.

The first information report, in the present case, was lodged, on 27.10.2013, after about nine days of the occurrence and the present accused-petitioner came to be arrested on 21.06.2014. In fact, before the first information was lodged in the present case, the informant,

who is son of the deceased, had filed a petition in the Court of learned Chief Judicial Magistrate, alleging, *inter alia*, that his father has been assaulted and injured by Ranjan Kumar. This apart, the *post mortem report* of the deceased reveals that death, in the present case, occurred, because of *septicemia*.

In view of the fact that the accused above-named has been in custody since 21.06.2014 in connection with the case aforementioned and perusal of the materials available does not reveal such incriminating materials, which would warrant further detention of the accused-petitioner in custody, and in view also of the fact that the perusal of the materials available does not reveal that the accused-petitioner's liberty on bail would adversely affect his trial, it is hereby directed that the accused above-named shall be released on bail of Rs. 10,000/- with two sureties, each of the like amount, subject to the satisfaction of the learned Chief Judicial Magistrate, Hajipur, Vaishali.

In terms of the above directions, this bail application shall stand disposed of.

Let the case-diary be returned.

(I. A. Ansari, J.)

Mkr./-

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