

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7373 of 2015

Arising Out of PS.Case No. -286 Year- 2014 Thana -SITAMARHI District- SITAMARHI

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Amit Paswan Son of Late Suresh Paswan resident of village - Girmisani,
Police Station + District - Sitamarhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhuri Lata

For the Opposite Party/s : Mr. Tapeswar Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 30-03-2015 Heard both sides.

The petitioner seeks bail in Sitamarhi Sadar P.S. Case No. 286/2014 registered for the offence under Section 302 and other sections of the Indian Penal Code.

The informant made allegation that informant along with others had gone to see yagya. Guddu Yadav was seen wearing sleeper of wife of the informant, on such some altercation took place and the accused persons assaulted Bigan Paswan and pierced knife.

Learned counsel for the petitioner submits that during the course of investigation, no witness had stated that the petitioner assaulted the deceased Bigan Paswan with knife. In para 10 of the case diary one Suresh Paswan named the petitioner along

with other accused persons and disclosed that Saddam Alam gave dagger blow to Bigan Paswan on his back.

Learned A.P.P. vehemently opposed the prayer for bail. It appears that initially informant named only three persons and alleged that they all assaulted the informant and somebody pierced knife on the backside of the Bigan Paswan. The wife of the informant alleged that Chote Yadav picked up quarrel and he wrongly named Guddu Yadav.

On account of trivial matter, the occurrence took place and one of the witnesses stated that Saddam Alam gave dagger blow to Bigan Paswan.

Considering the facts aforesaid and the fact that the petitioner is in jail for seven months, he is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi Sadar P.S. Case No. 286/2014.

(Prabhat Kumar Jha, J.)

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