

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25832 of 2016

Arising out of PS.Case No. -644 Year- 2015 Thana -AHIAPUR District- MUZAFFARPUR

Sone Lal Paswan, son of Late Jagdeo Paswan, resident of village Bara Jagarnath P.S. Ahiyapur District Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Bhavesh Kumar, Advocate.

For the Opposite Party : Mr. Ashok Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 16-08-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 02.09.2015 in connection with Ahiyapur P.S. Case No. 644 of 2015 for the offences instituted under Sections 147, 148, 149, 341, 323, 324, 307, 302, 504 and 120(B) of the IPC.

The prosecution story, in brief, is that on 24.07.2015 about 10.00 A.M., the husband of the informant had unloaded sand and cement for constructing boundary wall upon which this petitioner become infuriated and to put her husband into trouble brought some kerosene oil and sprinkled it on her daughter Surjee Kumari and was going to set fire on her own daughter but her husband intervened and tried to snatch Match Box. It is further



alleged that all named 13 accused persons including this petitioner and two three unknown persons under the conspiracy surrounded her husband after a chase entered into the house of the informant and thereafter this petitioner gave Sword blow on the head of her husband and also assaulted her elder brother Anand Paswan and the informant also with Sword Lathi-Danta resulting into they badly injured. The informant, her husband and brother-in-law Anand Paswan were admitted in S.K.M.C.H. Muzaffarpur where from her husband was referred to Patna. Thereafter her husband was admitted in Patna where he died on 25.07.2015 at about 6.00 P.M. due to above injuries caused by sword and Lathi-Danta.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.09.2015 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has got no criminal antecedent. The petitioner is alleged to have assaulted the deceased by sword on the head of the deceased. Postmortem report indicates that the injury caused upon the deceased is by hard and blunt substance. The allegation made in the F.I.R. do not corroborate with the postmortem report.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned C.J.M., Muzaffarpur in connection with Ahiyapur P.S. Case No. 644 of 2015.

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(Sudhir Singh, J)