

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46372 of 2016

Arising Out of PS.Case No. -37 Year- 2015 Thana -KHODAWANPUR District- BEGUSARAI

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Babloo Paswan Son of Lakshmi Paswan, Resident of Village- Dafarpur,
P.S.- Naokothi, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 15-12-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
14.08.2016 in connection with Khodabandpur P.S. Case No.
37 of 2015 registered for the offence punishable under
Sections 302/34 of the Indian Penal Code and Section 27 of
the Arms Act.

The prosecution case, as lodged by the informant,
is that while he along with his brother-in-law Bablu Paswan and
Runa Devi his sister-in-law, after making pairvi in a case
pending in the Civil Court Rosera, was going on motorcycle
and reached near a small bridge in the way to Meghaul, three
persons came on a motorcycle and stopped them and



thereafter accused Balwant Paswan fired upon Runa Devi causing her death.

It has been submitted by the learned counsel for the petitioner that he is innocent and not named in the First Information Report and has been falsely implicated in the aforesaid offence. He further submits that just because the petitioner had taken tea with the deceased and his sister-in-law half an hour back on the chowk, petitioner has been made accused only on the basis of suspicion, in fact, he is a witness to the said occurrence. It has further been submitted that it is only on the basis of suspicion that the petitioner has been dragged in the aforesaid case and even witnesses have not supported the complicity of the petitioner in the said offence.

However, learned A.P.P. for the State submits that as per paragraph 28 of the case diary, name of the petitioner has surfaced, although his complicity in the offence is based on suspicion, but opposes the prayer for bail.

Be that as it may, considering the submission of the parties and the facts and circumstances of the case, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two



sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Khodabandpur P.S. Case No. 37 of 2015.

(Nilu Agrawal, J.)

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