

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45326 of 2016

Arising Out of PS.Case No. -88 Year- 2016 Thana -RAJAPAKAR District- VAISHALI(HAJIPUR)

1. Ajay Paswan Son of Late Punit Paswan R/o village - Baikunthpur, P.S. Rajapakar, District - Vaishali

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Soni, Advocate

For the Opposite Party/s : Mr.Parmeshwar Mehta, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL  
ORAL ORDER

3 26-11-2016 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in custody since 25.07.2016 in connection with Rajapakar P.S.Case No. 88 of 2016 in a case registered for offences punishable under Sections 147, 148, 341, 323, 324, 307, 302, 504 and 506 of the Indian Penal Code.

The prosecution case is that the neighbours of the informant, namely, Jagnarayan Paswan along with ten others including the petitioner variously armed with weapons came to the house of the informant abusing, thereafter, co-accused Jagnarayan paswan gave farsa blow upon the chest of the father of the informant, who died during the course of treatment.



It has been submitted by the learned counsel for the petitioner that he is innocent and there is general and omnibus allegation against him and main allegation is upon Jagnarayan Paswan. He submits that some of the co-accused on similar allegations has been granted bail by the learned Court below itself. He submits that charge sheet has already been submitted, hence, there is no chance of tampering with the prosecution witnesses. He further submits that he has no previous criminal history.

Learned A.P.P. for the State submits that the petitioner is named in the F.I.R., hence, opposes the prayer for bail.

Since, charge sheet has already been submitted. and from the materials available, it does not reveal that the detention of the petitioner in custody would adversely effect his trial. Hence, in the interest of justice, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction learned Additional Chief Judicial Magistrate. VII, Vaishali at Hajipur in connection with Rajapakar P.S.Case No.88 of 2016.

This direction for bail is further subject to the condition that the petitioner shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such

facts to the Court or to any police officer or tamper with the evidence and shall appear in the learned Court below as and when required.

With these observations and directions, this bail application is allowed.

**(Nilu Agrawal, J)**

Sudha/-

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