

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55658 of 2016

Arising Out of PS.Case No. -28 Year- 2016 Thana -NALANDA District- NALANDA
(BIHARSHARIFF)

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1. Deepak Paswan, Son of Vilas Paswan, Resident of Village- Raghubigha,
P.S. + District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Ranjan Sinha

For the Opposite Party/s : Mr. Sri Sanjay Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 10-02-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 342, 341, 323, 308, 504 and 506/34 of the I.P.C later on section 302 of the I.P.C. has been added.

Allegedly, the petitioner and other FIR named accused persons came abusing and when the informant objected then they started assaulting the informant with lathi-danda brutally causing head injury and bleeding. Due to alarm being raised the villager came and then the accused persons fled away. Later on, the informant died due to the aforesaid injuries.

Submission is of false implication and that against the petitioner there is no specific allegation, earlier the petitioner has filed a case under SC/ST Act and other allied sections of the I.P.C.



bearing Rajgir SC/ST P.S. Case No. 22 of 2016 and to take revenge the petitioner has been implicated though there is no specific allegation against him, without any fault the petitioner is suffering in custody since 24.06.2016, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. opposes prayer for bail.

In the facts and circumstances as stated above, considering that against the petitioner there is no specific allegation, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner is directed to 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 Sri Ravindra Kumar, J.M. 1st Class, Biharsharif, Nalanda in Nalanda P.S. Case No. 28 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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